

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-08-2026

CORAM

THE HON'BLE MR.JUSTICE P.B. BALAJI

CRP No. 194 of 2026

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Syed Ziaul Hug

..Petitioner

Vs

R.Babu

..Respondent

Prayer: Civil Revision Petition filed under Section 115 of CPC, to set aside the Judgment and Decree dated 18.9.2025 in RLTA.No.166 of 2024 on the file of the learned XVII Additional City Civil Court, Chennai, reversing the Order and Decretal Order dated 18.7.2024 in RLTOP.No. 471/2024 on the file of XV Court of Small Causes, Chennai.

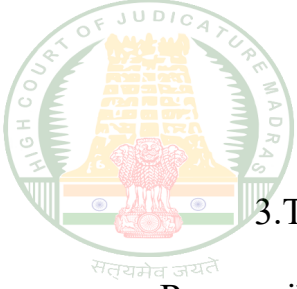
For Petitioner(s): Mr.K.Jayaraman

For Respondent(s): M/S.R.Manickavel

ORDER

This revision petition has been filed to set aside the judgment and decree dated 18.9.2025 in RLTA.No.166 of 2024 on the file of the learned XVII Additional City Civil Court, Chennai, reversing the order dated 18.7.2024 in RLTOP.No. 471 of 2024 on the file of XV Court of Small Causes, Chennai.

2.I have heard Mr.K.Jayaraman, learned counsel for the revision petitioner and Mr.R.Manickavel, learned counsel for the respondent.

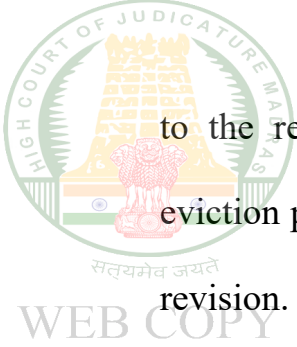


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3.The matter arises under the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017, as amended by Act 39 of 2018. The landlord is the revision petitioner, aggrieved by the decision of the Rent Tribunal, reversing the order of the Rent Court, ordering delivery of possession of the tenanted premises.

4.The learned counsel for the petitioner contends that though the petitioner permitted the respondent to put up construction, the agreement was that the respondent will not make any claim over the superstructure and therefore, according to the learned counsel for the petitioner, the RLTOP was maintainable and the jural relationship of landlord and tenant extended to the building put up by the respondent. He would invite my attention to the findings of the Rent Court, where all these aspects were considered and an eviction order came to be passed. He would therefore pray for the revision being allowed, setting aside the erroneous findings of the Rent Tribunal.

5.Per contra, the learned counsel for the respondent would state that even admittedly the rental agreement referred only to lease of vacant site and when the respondent had been permitted to put up a superstructure and there is no written agreement with regard to any waiver of rights insofar as the superstructure is concerned, the remedy before the Rent Court was not available



to the respondent and the Rent Tribunal has rightly reversed the order of eviction passed by the Rent Court. He would therefore pray for dismissal of the revision.

6.I have carefully considered the submissions advanced by the learned counsel on either side.

7.It is an admitted case of the parties that what was originally subject matter of the lease was only a vacant site. Even before this Court, the learned counsel for the petitioner admits to the contention taken by the respondent that what was originally let out was only vacant land and the superstructure thereon was put up by the respondent. In such circumstances, the existence of jural relationship was only in respect of vacant land. However, for the very invocation of TNRRRLT Act, 2017, the fundamental requirement is a lease of superstructure or building, which is absent in the instant case. In the light of the above, the petitioner has been knocking at wrong doors seeking delivery of vacant possession. In the light of the above, I do not see any infirmity in the order of the Rent Tribunal, reversing the erroneous findings of the Rent Court ordering eviction and thereby dismissing the RLTOP.No.471 of 2024. I do not see any merit in this revision petition.



8. In fine, the Civil Revision Petition is dismissed. However, this order shall not come in the way of the revision petitioner moving the appropriate competent Civil Court for recovery of possession and other reliefs, as he may be advised. No costs.

11-08-2026

Index: Yes/No

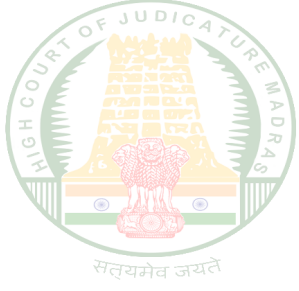
Speaking/Non-speaking order

Neutral Citation: Yes/No

ATA

To

The XVII Additional City Civil Court, Chennai.



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P.B.BALAJI, J.

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