

C.R.P.(PD)(MD)No.1402 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2026

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

C.R.P.(PD)(MD)No.1402 of 2023

and

C.M.P.(MD)No.6979 of 2023

R.Sakthi Mahesh

... Petitioner

Vs

1.G.Prema

2.Govindaraj (Died)

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, against the fair and decretal order dated 05.04.2023 passed in I.A.No.76 of 2022 in R.L.T.O.P.No.10 of 2022 on the file of the Principal District Munsif Court, Dindigul.

For Petitioner : Mr.S.Mohamed Azharudeen Sharof

For Respondents : Mr.S.Balamurugan for R1
R2 died.

ORDER

This Civil Revision Petition is filed challenging the order



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passed by the rent Court dismissing the application filed by the petitioner seeking direction to the respondents/tenants to deposit a sum of Rs.84,000/- towards rental arrears.

2. The petitioner herein filed a petition for repossession under Sections 21(2)(a) and 21(2)(g) of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017. According to the petitioner, the suit property originally belonged to his adoptive mother Ramathilagam. She had purchased the same on 02.06.1989. It is further stated that Ramathilagam adopted the petitioner as son on 05.06.1980 with the consent of her husband Ravindiran. It was further averred in the petition that the respondents, who entered the property as tenants of Ramathilagam, failed to pay rent to the petitioner or his sisters viz., Vijayapriya and Umalakshmi after the death of Ramathilagaam. Hence, the instant application has been filed seeking direction to the respondents to deposit the arrears of rent.

3. The rent Court dismissed the application on the ground that the respondents denied the jural relationship of landlord and tenant. Aggrieved by the same, the petitioner has come before this Court.



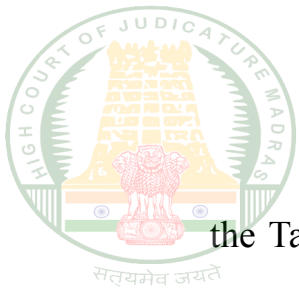
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4. The learned counsel appearing for the petitioner would submit that one of the reason assigned by the rent Court for dismissing the application was that the petitioner failed to implead his sisters as party in the petition for repossession and the said findings of the rent Court is not correct. The learned counsel appearing for the petitioner further submitted that being a co-owner, he is entitled to maintain an application for possession against the tenants and the view taken by the rent Court that the petition filed by the petitioner against the respondents was not maintainable without impleading the sisters is not in accordance with law.

5. This Court heard the submissions made by the learned counsel appearing on either side and perused the materials available on record.

6. A perusal of the pleadings of the parties enclosed in the typed set indicates that the respondents have denied the very existence of jural relationship of landlord and tenant. Further, there is no provision in



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the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017 enabling the landlord to file an application seeking direction to the tenant to deposit the arrears of rent. The instant application has been filed by the petitioner under Section 14 (3) of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017. A perusal of the said provision would indicate that it enables the tenant to file an application seeking permission to deposit the rent with the rent Court if the landlord refuses to accept the rent or there is a dispute with regard to the person entitled to receive the rent. In the case on hand, the instant application has been filed by the landlord seeking direction to the respondents/tenants to deposit the arrears. In the absence of specific provision enabling the landlord to seek this kind of direction to the tenants to deposit the rent, the application filed by the petitioner appears to be not maintainable.

7. Further, it is seen from the counter filed by the respondents to the main original petition, the very jural relationship of landlord and tenant has been disputed. Without proving the jural relationship, the petitioner is not entitled to compel the respondents to deposit the arrears of rent. In fact, the trial Court in the impugned order



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also taken into consideration the defence raised by the respondent denying the jural relationship. Therefore, I do not find any error to interfere with the order passed by the rent Court.

8. Accordingly, this Civil Revision Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

02.07.2026

NCC : Yes / No
Index : Yes / No

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To

1. The Principal District Munsif Court, Dindigul
2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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S.SOUNTHAR, J.

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