



C.R.P.No.3263 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2023

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

C.R.P. No.3263 of 2022
and CMP.No.17309 of 2022

N.Aruljeyam
W/o.D.Navaraj
Represented by Power Agent Mr.D.Navaraj . . . Petitioner

Vs

Mahendra Lokaih,
S/o.Late Mr.P.K.Lokaih,
Represented by Power Agent
Mrs.Chitrapavankumar ..Respondent

Prayer : Civil Revision Petition filed under Article 227 of Constitution of India, praying to set aside the Judgement and decree in RLTA No.9 of 2022 dated 20.07.2022 passed by the learned III Additional Judge, City Civil Court, at Chennai in R.L.T.O.P No.176 of 2020 confirming the order and Decretal order dated 21.12.2021 passed by the learned XV Court of Small Causes, Chennai.

For Petitioner : Mr.S.Ezhilraj
For Respondent : Mrs.Aruna Ganesh



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ORDER

Challenge the order dated 20.07.2022 passed in RLTA No.9 of 2022 by the learned III Additional Judge, City Civil Court, Chennai, the tenant has preferred this Civil Revision Petition.

2. Originally RLTOP No.176 of 2020 was filed by the respondent/landlord for eviction on the ground of wilful default in payment of rent. The said RLTOP was allowed on the ground that the petitioner/tenant has failed to enter into written tenancy agreement as contemplated under Section 4(2) and 21(2)(a) of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017.

3. Challenging the order passed by the trial Court, the tenant has preferred RLTA No.9 of 2022 on the file of the learned III Additional Judge, City Civil Court, Chennai. On hearing both sides, the Appellate Authority dismissed the appeal, confirming the findings of the Rent Controller.

4. Challenging the concurrent findings of the Courts below, the tenant has preferred this Civil Revision Petition.

5. Learned counsel for the revision petitioner submitted that on the



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date of lease agreement, the revision petitioner/tenant has paid an advance amount of Rs.6,00,000/- as cash security and she is ready to vacate the premises, but the landlord was not inclined to return the advance amount of Rs.6,00,000/-. Hence, he prays to allow this petition.

6. The learned counsel for the respondent/landlord submitted that from the year 2019 to till date, the tenant has not paid the rent which is more than Rs.8,00,000/- and there is no proof that the tenant has paid the rent as on date. Hence he prays to dismiss the petition.

7. On a perusal of the records, it reveals that there is no proof that the tenant has paid the rent as on date and she has not proved her case. Therefore, this Court does not find any illegality or irregularity in the order impugned orders passed by the Courts below.

8. Accordingly, this Civil Revision Petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

16.03.2023

Internet : Yes/No
Index : Yes/No
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T.V.THAMILSELVI, J.



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To

1. The III Additional Judge, City Civil Court, Chennai.
2. The XV Judge, Small Causes Court, Chennai.

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