



CRP. No. 3942 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 15.12.2023**

**CORAM:**

**THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI**

**CRP No. 3942 of 2023**  
**& CMP No. 24262 of 2023**

Jayanthi

...Petitioner

Vs.

Elumalai

....Respondent

**PRAYER :** This petition filed under Section 151 of CPC, to set aside the order dated 21.09.2023 made in E.P No. 801 of 2023 in RLTOP No. 681 of 2022 on the file of the XVI Small Cause Court, Chennai.

For Petitioner : Mr.R.Venkatesh

For Respondent: Mr.V.Sivakumar.

For M/s.P.B.Ramanujam.

**ORDER**

This petition has been filed to set aside the order dated 21.09.2023 made in E.P No. 801 of 2023 in RLTOP No. 681 of 2022 on the file of the XVI Small Cause Court, Chennai.



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WEB COPY 2. Heard both sides.

3. Considering the facts of the case, the lease agreement was expired on 31.01.2015 as on date it is not yet renewed and there is no new lease agreement was entered between the petitioner and the respondent. Furthermore, the petitioner paid only 3 lakhs as advance instead of 5 lakhs as he agreed and also the land lord can file a case for repossession even if he is the reason for non-renewal or failure to enter into an agreement in writting. Hence, this Court does not find any reason to interfere with the order of the Court below and the land lord is entitled to deduct the arrears of rent if any from the advance paid by the tenant. Further, the petitioner is directed to vacate the premises within a period of three months from the date of receipt of a copy of this Order.

4. In the result, this Civil Revision Petition is dismissed. No costs. Consequentially, connected miscellaneous petition is closed.

**15.12.2023**

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The XVI Small Cause Judge, Chennai.

**T.V.THAMILSELVI,J.**

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