



C.R.P.(PD).No.2337 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.(PD).No.2337 of 2020
and C.M.P.No.14680 of 2020

Vaduganathan & Lena Talkies
Rep. by its partner
S.P. Koil Street,
Chidambaram 603 001

... Petitioner

VS

S.R.Ravichandran

... Respondent

Prayer: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to struck off the petition in RLTOP No. 2 of 2020 on the file of the Rent Controller (District Munsif Court) Chidambaram.

For Petitioner : Mr.V.G.Suresh
for M/s.AR.Karthik Lakshmanan

For Respondent : Mr.T.Sathiyamoorthy

ORDER

The Civil Revision Petition is filed seeking to strike out RLTOP.No.2 of 2020 filed by the respondent to deposit the rent under Section 8(5) of the Tamil Nadu Buildings (Lease and Rent Control) Act.



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2. The learned counsel appearing for the revision petitioner submitted that Tamil Nadu Buildings (Lease and Rent Control) Act was repealed by Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017 and the same came into force on 22.02.2019. However, the present petition for deposit of rent has been filed by the respondent under the Old Act on 23.01.2020 subsequent to the repeal of the Old Act. The learned counsel further submitted that under the New Act, the petition for deposit of rent shall be filed before the Rent Authority not before the Rent Court. Therefore, the District Munsif in his capacity as Rent Court of the notified area has no jurisdiction to entertain the application.

3. It is not disputed that Tamil Nadu Buildings (Lease and Rent Control) Act was repealed by Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017. The New Act came into force on 22.02.2019 and the present petition for deposit of rent has been filed under the Old Act subsequent to coming into force of the New Act. Therefore, the District Munsif, who is designated as Rent Court under the New Act has no jurisdiction to entertain the same and any application for deposit of rent



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has to be filed before the Rent Authority under Section 14 of the New Act.

Therefore, the Court below ought not to have entertained the application, when it has no jurisdiction to entertain the same under the new Act and accordingly, the Civil Revision Petition stands allowed and the petition filed by the respondent for deposit of rent in RLTOP.No.2 of 2020 is struck off from the file of the District Munsif Court, Chidambaram. However, liberty is granted to the petitioner to file a petition for deposit of rent before the appropriate authority under the New Act. No costs. Consequently, the connected civil miscellaneous petition is closed.

03.01.2024

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
dm

To

The Rent Controller (District Munsif Court)
Chidambaram.



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S.SOUNTHAR, J.

dm

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