



C.R.P.(PD)No.2950 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 15.04.2024**

CORAM

**THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

**C.R.P.(PD)No.2950 of 2022**

**and**

**C.M.P.No.15979 of 2022**

Munira Jamal Chatrapathy

.. Petitioner

Vs.

V.Pradeep Kumar

.. Respondent

**Prayer** : The Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the order dated 04.08.2022 in M.P.No.1 of 2021 in RLTOP.No.492 of 2020 on the file of the XI Court of Small Causes, Chennai.

For Petitioner : Mr.N.S.Amogh Simha

For Respondent : Mr.S.Arivazhagan

**ORDER**

On the date of filing of the petition in RLTOP.No.492 of 2020, a lease was subsisting and therefore, the petitioner could not file a petition under Section 21(2)(a) of the TN Regulation of Rights and Responsibilities



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of Landlords and Tenants Act, 2017. Therefore, invoking the provisions of TN Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017, he filed a petition for eviction under Section 21(2)(b) and Section 21(2)(g) of the said act.

2. During the pendency of the proceedings, the lease expired and no fresh agreement was entered into. Taking inspiration from the judgment in ***S.Muruganandam vs. J.Joseph [(2022) 2 CTC 291]***, the petitioner, today, wants to amend the cause of action by bringing a new ground under Section 21(2)(a). The Civil Court has the power to take into consideration the events which have taken place after the commencement of the proceedings. However, such a broad consideration is not available to the Rent Controller whose jurisdiction is limited by the provisions under which it is invoked.

3. To permit the landlord, today, to seek eviction under Section 21(2)(a) would change the frame of the proceedings on the basis of which the parties have filed their counter.



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4. Therefore, granting liberty to the petitioner to file a fresh petition on the grounds open to her, this Civil Revision Petition stands dismissed.

No costs.

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No



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**V. LAKSHMINARAYANAN, J.**

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To

The XI Court of Small Causes,  
Chennai

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