



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2026

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THE HONOURABLE MR.JUSTICE P.B. BALAJI

**CRP.No.367 of 2026
&CMP.No.2106 of 2026**

M.Jambunathan

Petitioner(s)

Vs

M.Karthik Meiyappan

Respondent(s)

Prayer: Civil Revision Petition filed under Section 25 of the Tamil Nadu Buildings (Lease and Rent Control) Act, 1960, to set aside the judgment and decree dated 17.11.2025 made in R.C.A.No.15 of 2025 on the file of IX Judge, Court of Small of Causes (Rent Control Appellate Authority), Chennai, in concurring with the judgment and decreetal order dated 25.06.2025 made in R.C.O.P.No.884 of 2016 on the file of the XIII Judge, Small Causes Court (Rent Controller), Chennai.

For Petitioner(s): Mr.P.Rajendrakumar

For Respondent(s): Mr.V.G.Suresh Kumar

ORDER

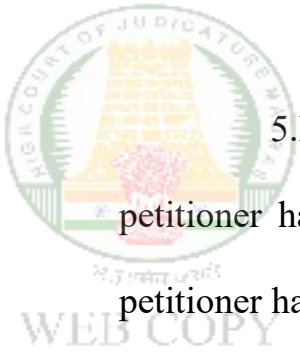
The tenant is the revision petitioner, challenging the concurrent findings of the Rent Controller and the Rent Control Appellate Authority in the eviction application filed by the respondent/landlord under Section 10(2)(i) of the Tamil Nadu Buildings (Lease and Rent Control) Act, 1960.



2.I have heard Mr.P.Rajendrakumar, learned counsel appearing for the revision petitioner/tenant and Mr.V.G.Suresh Kumar, learned counsel appearing for the respondent/landlord.

3.The learned counsel for the petitioner states that the Courts below have concurrently erred in holding that the petitioner has committed wilful default, without noticing that the petitioner tendered the entire arrears of rent on the first hearing date and thereafter, also paid subsequent amounts in compliance with the orders passed under Section 11(4) of the Act. The learned counsel for the petitioner would further state that there has been no default thereafter and the petitioner is depositing the rents into Court, without any default and the respondent has not chosen to withdraw the said amount. He would therefore state that even if there was not default, it will not be construed as wilful entailing an order of eviction under Section 10(2)(i) of the Act.

4.Per contra, the learned counsel for the respondent states that the petitioner no doubt tendered the arrears of the first hearing date. However, the respondent filed a memo, stating that he is willing to receive the arrears and even thereafter, the amounts were not tendered and further, subsequently also the petitioner did not pay the rents promptly which necessitated an application under Section 11(4) of the Act.



5.It is only in compliance with the orders passed under Section 11(4) that the petitioner has paid the entire arrears of rent for more than one year. Thereafter, the petitioner has also moved an application to implead a third party to complicate the issues as if the respondent has no title. The said application was also dismissed by the Rent Controller.

6.I have gone through the orders of the Rent Controller and the judgment of the Appellate Authority. I do not find any infirmity and necessity warranting interference under Section 25 of the Act. The Civil Revision Petition is dismissed.

7.At that juncture, the learned counsel for the petitioner filed an affidavit of undertaking by the petitioner, agreeing to vacate the vacant possession by 31.05.2026 and also undertaking to pay the monthly rents till then. The said affidavit of undertaking dated 12.02.2026 is recorded. The petitioner shall vacate and hand over vacant possession to the respondent/landlord on or before 31.05.2026. The respondent is at liberty to take out an application for payment out to withdraw the amounts deposited by the petitioner before the Rent Controller. There shall be no order as to costs. Connected Civil Miscellaneous Petition is closed.

19.02.2026

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P.B. BALAJI.J.
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WEB COPY

- To
- 1.The IX Judge, Court of Small of Causes (Rent Control Appellate Authority), Chennai.
 - 2.The XIII Judge, Small Causes Court (Rent Controller), Chenna.

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