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CRP No. 1393 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

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

CRP No. 1393 of 2021

AND

CMP NO. 10783 OF 2021

P.R.Senthilkumar
First Floor, Old No.3, New No.7,
3rd Main Road, Nehru Nagar,
Adayar, Chennai -600 020

..Petitioner(s)

Vs

Rama Vasudevan
Old No.New No.7, 3rd Main Road,
Nehru Nagar, Adayar,
Chennai - 600 020

..Respondent(s)

PRAYER

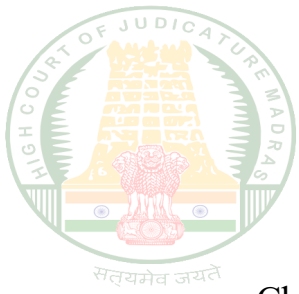
Civil Revision Petition filed under Sec.25 of the Tamil Nadu Buildings (Lease and Rent Control) Act, 18 of 1960 as amended by Act 23 of 1973, praying to set aside the judgment and decree dated 26/02/2021 in RCA.No.200/2016 passed by the Rent Control Appellate Authority (VIII Judge Court of Small Causes) Chennai modifying the judgement and decree dated 29/02/2016 in RCOP No.1579/2014 passed by XV Judge, Small Causes Court, Chennai.

For Petitioner(s):

Ms.N.Kalaivani for
M/s.P.Wilson Associates

For Respondent(s):

Notice returned with an endorsement
Building Demolished

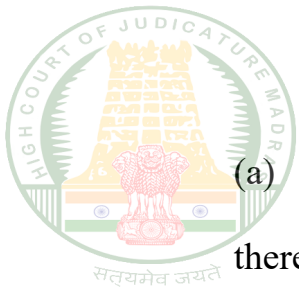


ORDER

Challenging the Judgment and decree passed by Rent Control Appellate Authority/VIII Judge, Court of Small Causes, Chennai, the Revision Petitioner/tenant had preferred this Civil Revision Petition.

2.Before the Rent Controller, the RCOP No.1579 of 2014 was filed by the respondent/landlady for fixation of fair rent for the premises situated at 3rd Main Road, Nehru Nagar, Adyar, Chennai and also permitting him to deposit rents every month into the credit of the said R.C.O.P. The learned Rent Controller had allowed the petition permitting the revision petitioner to deposit the arrears of rent for the period from 01.08.2013 to 31.07.2014 and also permitted him to deposit the rent of Rs.18,500/- on or before 5th of every succeeding month. Against which, the appeal in RCA No. 200 of 2016 was filed by the revision petitioner/tenant. On hearing both sides, the appellate court allowed the appeal in part and the fair and decretal order passed by the learned Rent Controller in RCOP.No.1579 of 2014 was modified. Accordingly, the fair rent of Rs.24,930/- per month was fixed from the date of petition till vacation of premises by modifying the earlier order. Challenging the said findings, this Civil Revision Petition has been filed.

3.The learned counsel for Revision Petitioner prayed to set aside the findings of the learned Rent Control Appellate Authority by raising the following grounds :-



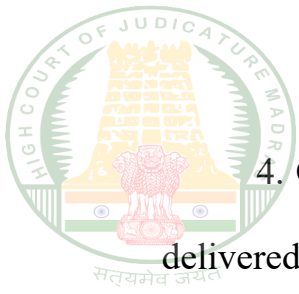
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(a) The learned appellate authority has omitted to consider that there is no question of enhancement of fair rent from the time, the petitioner had vacated the premises.

(b) The learned Appellate Authority failed to consider that the petitioner herein entered into a lease agreement on a monthly rent of Rs.17,000/-. Only on the request of the respondent herein, the monthly rent has been revised to Rs.18,500/- and the petitioner herein had paid the said rent till he vacated the premises. Thus, the respondent has contractually agreed upon the said rent of Rs.18,500/-. Therefore, when the respondent herself has agreed to the rent, she cannot maintain a petition for fixation of fair rent.

(c) Both the courts below have failed to consider the fact that at the request of respondent, the petitioner herein had built extra construction at the rent place to the extent of 400 sq.ft., which cost him Rs.2,40,000/-. When this amount was demanded, she started to initiate cases against the petitioner herein in order to escape from repaying the said amount.

(d) The courts below made an error in calculating the market value of the property without considering the Engineer's report of the petitioner, which indicates the exact plinth area of the petition property and the value of such property.



4. On perusal of records, the fact reveals that the Revision Petitioner has delivered the property to the respondent/landlady in the year 2019 and as on date, respondent is aged about 70 years. Furthermore, on perusal of order passed by the appellate authority, as per the report of Engineer Ex.P3, the market value of the land was also properly analysed and the age of building was also taken into consideration. Thus, finally, the fair rent was fixed by the appellate authority, which requires no interference. Furthermore, all these years, the revision petitioner has not paid the arrears and from the year of 2021, the matter is pending. Therefore, I do not find any irregularity in the order passed by the appellate authority in RCA No.200 of 2016. Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, connected civil miscellaneous petition is closed.

12-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

RPP

To

The VIII Judge, Rent Control Appellate Authority,
Small Causes Court, Chennai.



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T.V.THAMILSELVI J.

RPP

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