



WEB COPY

CRP No. 5455 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-06-2026

CORAM

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

C.R.P.No.5455 of 2025

Amathulla Fathima
Represented by her Power of Attorney Agent
Mr.T.S.M.Mohideen, No.12A, Lakshmi Priya
Apartments, A-Block, Flat F1, 6th Main Road, 3rd
Cross Street, Dhandeeswaran Nagar, Velachery,
Chennai-600 042.

..Petitioner(s)

Vs

C.Ramesh
S/o. Chelladurai, No. 5, Mahalakshmi Street,
Kalaivanar Nagar, Padi, Chennai 50 Now at Flat
No.A1, Lotus Residence, No.1076-H, TVS Colony
West (Rajiv Gandhi Main Road), Anna Nagar
West Extension, Chennai-600 101.

..Respondent(s)

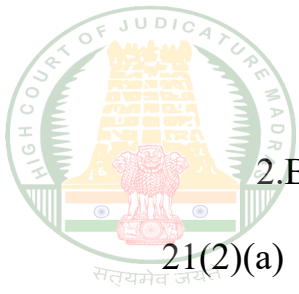
Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, praying to direct the Hon'ble X Small Causes Court at Chennai to receive the R.L.T.O.P Petition SR.No.7621 of 2024 dated 04.02.2025 from the petitioner and number the same.

For Petitioner(s): Ms.Sowjanya Shyam

For Respondent(s): No appearance

ORDER

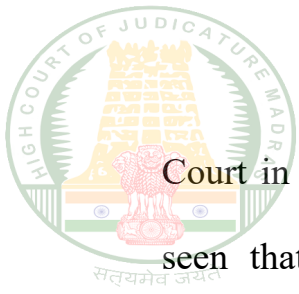
This Civil Revision Petition has been filed to direct the X Small Causes Court, Chennai to receive R.L.T.O.P Petition SR.No.7621 of 2024 dated 04.02.2025 and number the same.



2. Before the Trial Court, the petitioner filed a petition under Section 21(2)(a) of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords & Tenants Act, 2017 for eviction and the same was rejected by the Trial Court holding that there is no agreement as on date between the parties and therefore, the petition filed by the applicant therein is not maintainable and accordingly rejected the same.

3. Aggrieved over the rejection order passed by the Trial Court, the landlord/the petitioner herein has preferred this Civil Revision Petition.

4. Learned counsel for the petitioner submits that the Trial Court ought to have seen that in the present case, the respondent tenant has failed to enter into written tenancy agreement with the landlord. Section 4 of the said Act mandates all tenancies both new and existing must be executed through a written agreement and register the same. Further, Section 21(2)(a) of the said Act, allows landlord to seek eviction of a tenant if the tenant fails to enter into a written tenancy agreement within the stipulated time frame under the Act. This provision serves as a legal ground for landlords to regain possession of their property when a written agreement is not established. Therefore, any failure to enter into a tenancy agreement has to be adjudicated only before the Rent Controller and not by the Civil Court. She further submits that the Division Bench of this Court has not discussed the findings of the Hon'ble Supreme



Court in its Judgment. She further submits that the Trial Court ought to have seen that returning R.L.T.O.P petition filed by the petitioner/landlord has resulted in miscarriage of justice to the petitioner. Therefore, she prays to allow this Civil Revision Petition.

4.1. In support of her arguments, she relies upon the following Judgments of this Court and the Hon'ble Supreme Court:

i. *Andal vs. Lawrence Swami Doss in C.R.P.No.2760 of 2022 dated 11.03.2024;*

ii. *Udayakumar vs. Lawrence Swami Doss in C.R.P.No.2763 of 2022 dated 11.03.2024;*

iii. *K.Shaik Fareed vs. Zeenath Nisha in C.R.P.No.3985 of 2024 dated 01.10.2024;*

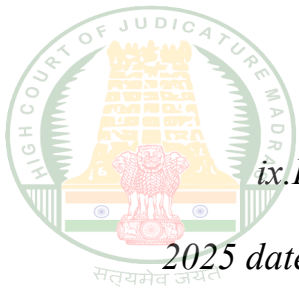
iv. *P.Baskaran vs. N.Murugan in C.R.P.No.4764 of 2024 dated 25.11.2024;*

v. *V.Ganesh vs. S.Balaji in C.R.P.No.1891 of 2025 dated 29.04.2025;*

vi. *M/s.Rajiv Jewellers vs. R.Roop Kumar in C.R.P.No.1559 of 2025 dated 16.06.2025;*

vii. *V.Ganesh vs. S.Balaji in S.L.A (C) No(s).17295 – 17296 of 2025 dated 04.07.2025;*

viii. *N.Srikanth vs. S.Dhanasekaran in C.R.P.No.2077 of 2025 dated 14.07.2025;*



ix. Hemalatha vs. Jeevanantham in C.R.P.(MD).Nos.2451 and 2439 of 2025 dated 01.06.2026.

WEB COPY

4.2. Learned counsel for the petitioner draws the attention of this Court to the Judgment of the Hon'ble Supreme Court in Special Leave to Appeal (C) No(s).17295-17296 of 2025, the Hon'ble Supreme Court has held as follows:

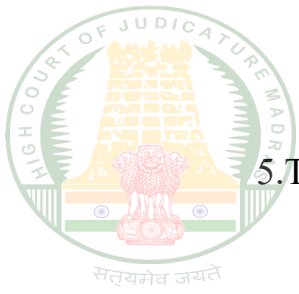
“Heard counsel for the petitioner.

Having regard to the averment in landlord's petition that last rent agreement was dated 29.10.2012, we do not find any merit in the objection as to the maintainability of landlord's petition under Section 21(2)(a) of the Tamilnadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017.

The Special Leave Petition is dismissed.

Pending application(s), if any, shall stand disposed of.”

4.3. The petitioner relies upon the above findings of the Hon'ble Supreme Court and submits that the Trial Court failed to take the case on file as well as number the same. Based on the above findings, the petitioner filed a petition before the Trial Court. According to the petitioner, they entered into a rental agreement on 27.10.2021 for a period of 11 months and the same was ended in the month of August 2022. Thereafter, she called upon for a new agreement by issuing notice but the tenant has not given consent for the same. Therefore, she approached the Court.



5. There is no representation on the side of the respondent.

WEB COPY

6. On perusal of records, it is seen that in the present case, the petitioner has rental agreement which ended in the month of August 2022. If at all any defence is available to the respondent, he can appear and submit the same before the Trial Court. Without considering the facts and circumstances of the case, the Trial Court rejected the petition filed by the petitioner herein.

7. Considering the facts and circumstance of the case, the submissions made by the learned counsel for the petitioner and the findings rendered by the Hon'ble Supreme Court as stated supra, this Court is of the considered view that the Trial Court without numbering the petition by rejecting the same as not maintainable is erroneous. Therefore, this Court is inclined to allow this Civil Revision Petition.

8. Accordingly, this Civil Revision Petition is allowed. The Trial Court is directed to take the petition on file within a period of two weeks from the date of receipt of a copy of this order. No costs.

12-06-2026

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



WEB COPY

CRP No. 5455 of 2



T.V.THAMILSELVI, J.

pam

To

The X Small Causes Court, Chennai.

C.R.P.No.5455 of 2025

12-06-2026