

IN THE COURT OF THE RENT CONTROLLER/MUNSIFF, PERUMBAVOOR

Present:- Smt. Sumey Chandran, Rent Controller/Civil Judge (Junior Division)
Thursday, the 12th day of March, 2026/ 21st Phalguna 1947

IA 01/26 in R C P No.06/2025

Petitioner:-

Adarsh Sundar, Aged 34 years, S/o Sundaran P K,
Parayath House, Near Palluruthy N S S School,
Palluruthy P. O, Palluruthy Kara, Edakochi Village,
Kochi Taluk, Pin: 682 006.

By Adv. T V Eldho

Respondent:-

Vishnu P T, Aged about 36 years, S/o. Thankappan,
Parathandel House, House No.147, Vilangu P. O, Vilangu Kara,
Kizhakkambalam Village, Kunnathunadu Taluk. Now working in
Thomson Chicken Centre, owned by Benny, Kizhakkambalam Kara,
Kizhakkambalam Village, Kunnathunadu Taluk, Pin: 683561.

By Adv. Aneesh K S, Shyamdeep S Shenoy, Renish Raveendran,
C S Geethu & Farhath Salim

This petition having been finally heard before me on 12/03/2026 and the court on the same day passed the following:-

O R D E R

1. This is a petition filed by the petitioner in the above Rent Control Petition seeking a direction to the respondent to deposit arrears of rent.
2. The case of the petitioner, as stated in the petition, is that the respondent is occupying the petition schedule building as a tenant on a monthly rent of ₹5,000/-. According to the petitioner, the respondent has been in arrears of rent from May 2024 onwards. It is contended that as on the date of filing of the petition, a total amount of ₹95,000/- is due towards arrears of rent. Hence the petitioner seeks an order directing the respondent to deposit the said amount before this Court.

3. Notice was ordered to the respondent. The respondent initially filed I.A. No. 3/2026 seeking time to file objection in the present petition. The said application was allowed and sufficient opportunity was granted. The matter was thereafter posted for counter. However, despite granting sufficient time, the respondent has not filed any counter affidavit opposing the present petition. Consequently, I.A. No. 3/2026 was dismissed.
4. Heard the petitioner. Records perused.
5. The point that arises for consideration is:- Whether the respondent is liable to be directed to deposit the arrears of rent as claimed by the petitioner?
6. **The point:-** The petitioner contends that the monthly rent agreed between the parties was ₹5,000 and that the respondent has been in arrears from May 2024 onwards. However, no written rent agreement has been produced before this Court to establish the alleged tenancy arrangement or the rate of rent. The claim of the petitioner regarding the fixation of rent at ₹5,000 per month is supported only by the averments in the petition.
7. It is true that certain documents such as the bank account statement and a Google Pay receipt have been produced to show payment of ₹5,000 on two occasions. However, from the said documents it cannot be conclusively established that the said payments were made by the respondent towards rent of the petition schedule building. There is also nothing to show that the payments were made from the account of the respondent or that they relate specifically to the alleged tenancy arrangement.
8. In the absence of clear and reliable material to establish the existence of a landlord-tenant relationship and the rate of rent, this Court is of the view that it would not be proper to direct the respondent to deposit the alleged

arrears of rent at this stage. In such circumstances, the petitioner has not made out sufficient grounds to allow the present application.

9. **In the result**, I.A. No. 1/2026 is dismissed. No order as to costs.

Pronounced by me in open court on this the 12th day of March, 2026.

Sd/-

Sumey Chandran

Rent Controller/Civil Judge (Junior Division)

Appendix:-Nil

Sd/-

Rent Controller/Civil Judge (Junior Division)

(By Order)

// True copy //

Carbon Copy issued as per order in I.A.04/26 in IA 1/26 in RCP 06/2025 dtd.17/03/26.

Examiner/Junior Superintendent

Typed by : jav
Comp.by: PKS

Carbon Copy of Order
in
IA 01/26 in RCP No. 06/25
Dated: 12/03/26