



CRP(MD). No.4 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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**Dated : 08.01.2026**

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**THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR**

**C.R.P(MD). No.4 of 2026**

**and**

**C.M.P(MD) No.22 of 2026**

A.Ayyamperumal

... Petitioner/Appellant/Respondent

**Vs**

N.Kannan

... Respondent / Respondent/ Petitioner

**PRAYER:-** Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order, dated 19.02.2025 passed in R.C.A.No.3 of 2019 on the file of the Subordinate Judge (Appellate Authority) Virudhunagar confirmed by the order dated 01.08.2017 passed in RCOP No.12 of 2006 on the file of the District Munsif (Rent Controller) Virudhunagar, by allowing the Civil Revision Petition and to grant such other relief or reliefs that this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.I.Suthakaran

For Respondent : Mr.M.Murugan



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## **ORDER**

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The present Civil Revision Petition has been filed challenging the order passed in R.C.A.No.3 of 2019, dated 19.02.2025, on the file of the learned Subordinate Judge (Appellate Authority), Virudhunagar, confirming the order dated 01.08.2017 passed in R.C.O.P.No.12 of 2006 on the file of the learned District Munsif-cum-Rent Controller, Virudhunagar.

2. The brief case of the revision petitioner is that there is no jural relationship of landlord and tenant between the petitioner and the respondent. It is the specific contention of the revision petitioner that he has an independent right over the property and therefore cannot be construed as a tenant. It is further contended that there was no express tenancy agreement between the revision petitioner and the respondent so as to establish the relationship of landlord and tenant.

3. However, the Rent Controller in RCOP No.12 of 2006, taking into consideration the admissions made by the revision petitioner during cross-examination held that the revision petitioner is a tenant under the



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respondent and the relevant portion of the cross examination of the revision petitioner is read as follows:

மேலும் எதிர்மனுதாரர் அவரது குறுக்கு விசாரணையில்

அ.வ.எண்.164 2001 தாக்கல் செய்து அவ்வழக்கு எனக்கு சாதகமாக தீர்ப்பு பகரப்பட்டதாகவும் அந்த தீர்ப்பின் அடிப்படையில் 21.11.2003 வாடகையாக ரூ.24,000 நீதிமன்றத்தில் வைப்பீடு செய்ய உத்தரவிடப்பட்டிருந்தது என்று நான் கூறியுள்ளேன் என்றால் சரிதான்.

நீதிமன்றத்தில் வாடகையை 2006 ம் ஆண்டிலிருந்து கட்ட மனு தாக்கல் செய்தீர்களா என்றால் மனு தாக்கல் செய்தேன். எந்த உத்தரவும் வரவில்லை என்றும் எந்த உத்தரவும் வராமல் எப்படி பணம் கட்டுவது என்று சாட்சி பதிலளிக்கிறார்.

என்னை காலி செய்யச் சொல்லி மனு தாக்கல் செய்துள்ளதை படித்துப் பார்த்தீர்களா என்றால் தேவை இல்லாமல் கேள்வி கேட்கிறீர்கள் என்று பதிலளிக்கிறார்.

4. It was further found that the revision petitioner had not paid rent from the year 2003 onwards. Accordingly, the eviction petition was allowed and the revision petitioner was directed to vacate the premises



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within a period of three months. Aggrieved by the same, the appeal in R.C.A.No.3 of 2019 was preferred and the Appellate Authority confirmed the findings of the Rent Controller. Challenging the concurrent findings, the present Civil Revision Petition has been filed.

5. The learned counsel appearing for the respondent/landlord submitted that the revision petition is devoid of merits and cannot be entertained in view of Section 21(2)(b) r/w. Section 4 of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017.

6. Even in the absence of a specific agreement between the revision petitioner/tenant and the respondent/landlord, the proceedings ought to have been initiated within the period of 575 days from the date of commencement of the Act, i.e., 22.02.2019. In the absence of any material to establish that the revision petitioner has an independent right over the property, such a plea ought to have been raised and adjudicated before the trial Court and cannot be entertained at the revisional stage.



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7. In view of the concurrent findings of fact recorded by the Rent Controller as well as the Appellate Authority and in the absence of any perversity or illegality in the impugned orders, this Court finds no merit in the present Civil Revision Petition. Hence, the present revision petition is dismissed for want of merits. No costs.

Speaking : Yes / No  
NCC : Yes / No  
Internet : Yes / No  
Index : Yes / No

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**N.SENTHILKUMAR, J.**

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