



CRP(MD). No.3869 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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**Dated : 19.12.2025**

CORAM

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

**CRP(MD). No.3869 of 2025**

1.Sankaranarayanan

2.Muthukumar

3.Shanmugasundaram

4.Thirupathy

... Petitioners

Vs

Rathikamala

... Respondent

PRAYER :-Civil Revision Petition filed under Section 25 of the TN Buildings (Lease and Rent) Control Act, to set aside the impugned Fair and Decretal order dated 22.10.2025 passed in RCA.No.28 of 2023, on the file of the Rent Control Appellate Authority/Principal Sub Court, Madurai confirming the fair and decretal order dated 24.07.2023 passed in RCOP.170 of 2009 on the file of Principal Rent Controller/Principal District Munsif Court, Madurai town.

For Petitioners : Mr.D.Nallathambi

For Respondent : Mr.M.Arjun Varman



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## **ORDER**

This Civil Revision Petition has been filed challenging the order dated 22.10.2025 passed in RCA.No.28 of 2023 on the file of the Rent Control Appellate Authority/Principal Sub Court, Madurai, confirming the order dated 24.07.2023 passed in RCOP.170 of 2009 on the file of the Principal Rent Controller/Principal District Munsif Court, Madurai.

2.The learned counsel for the petitioners would submit that as per Section 7(2)(a) of the Tamil Nadu Buildings (Lease and Rent Control) Act, 1960, the respondent/landlord is entitled to receive one month rent towards advance and the fact remains that the petitioners have paid a sum of Rs.4,00,000/- towards advance to the respondent, which was also admitted during the course of cross-examination of the respondent.

3.The learned counsel for the respondent would submit that as per Section 7(2)(b) of the Tamil Nadu Buildings (Lease and Rent Control) Act, 1960, any sum paid in excess of the agreed rent, whether before or after the date of the commencement of the Act in consideration of the grant, continuance or renewal of the tenancy of the building after the date



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of such commencement, shall be refunded by the landlord to the person by whom it was paid or at the option of such person, shall be otherwise adjusted by the landlord.

4. On the joint request of the learned counsel for the parties, post the matter on 27.01.2026. The trial Court shall not proceed further till then.

**19.12.2025**

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To

1. The Principal Subordinate Judge, Madurai.
2. The Principal District Munsif, Madurai Town.



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**N.SENTHILKUMAR, J.**

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