

A & S LAW WEEKLY

***WEEKLY LEARNING
SERIES***



A & S LAW WEEKLY
Week - 24

Registration of tenancy in TN



WWW.ASLAWONLINE.COM

SECTION NO.	NAME OF THE SECTION	SLIDE NUMBER
Section – 2(a)	Agreement or Tenancy Agreement	4
Section – 2(c)	Landlord	5
Section – 3	Act not to apply in certain cases	6
Section – 4	Tenancy Agreement	9
Section – 4(a)	Effect of Non-Registration	10
Section – 5	Period of Tenancy	11
Section – 6	Inheritability of Tenancy	12
Section – 7	Registration of Subletting	13
Rule 3	Making of an Application and timeliness to be followed for registration of tenancy agreement	15,16

Section 2(a) of TN Rights and Responsibilities Of Landlords And Tenants Act



Agreement or Tenancy Agreement



**Written agreement executed by
Landlord and Tenant under this
act includes**



Sub-Tenancy Agreement Sub-Lease Agreement

Section 2(c) of TN Rights and Responsibilities Of Landlords And Tenants Act



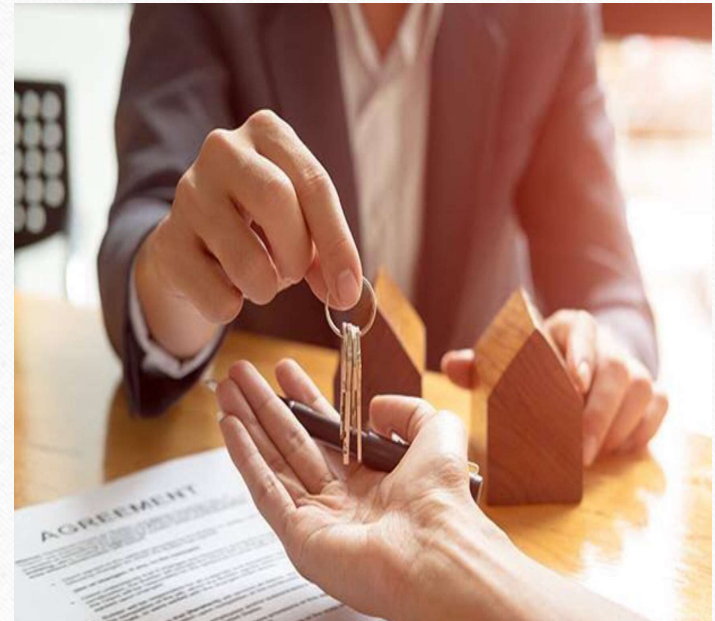
- Landlord is the person receiving or entitled to receive rent of any premises on his own account , if the premises were let to a tenant and includes his successor in interest.
- If a person, who is receiving rent on behalf of another person who cannot enter into a contract whether as a trustee, guardian or receiver, then the said trustee, guardian or receiver shall also be a landlord according to this act.



SECTION- 3

ACT NOT TO APPLY IN CERTAIN CASES

- Premises Which is Owned or Promoted by Central/State government /Local Authority / Any government Undertaking or Enterprise or a statutory body or Cantonment Board .
- Premises owned by a company,University/ Organization given on rent to its employees as Part of Service contract.



CONTD...

- Premises owned by Religious or Charitable Institutions as May be specified By Government by Notification.
- Premises owned by Waqf Registered under the Waqf Act 1995 or any trust Under Indian trust Act,1882 .



- Any other building exempted In Public interest by the government.
- If any owner of Premises under the categories wishes then the tenancy Agreement entered by them be regulated under the act informs the Rent authority about the desire at the time of information of Tenancy Agreement under Section 4 of the Act.



Section 4 – TENANCY AGREEMENT

- Rent Agreement should in Written
- It shall be jointly register before the Rent Authority the by the landlord and tenant.
- Rent Authority provide registration number.
- Rent Authority shall upload the details of the landlord and tenant with in 15 days from the allotment of register number.



Section 4A

EFFECT OF NON-REGISTRATION

- Affect rights in the Immovable Property
- Confer any power to adopt,
- Evidence of transaction and also if any acts affecting such property or conferring any rights.



Section 5 Of TN Rights and Responsibilities Of Landlords And Tenants Act



All tenancies entered into after the commencement of this Act shall be for a period as agreed between the landlord and the tenant .

The tenant may approach the landlord for renewal or extension of the tenancy, within the period agreed to in the tenancy agreement, prior to the end of tenancy period and if agreeable to the landlord may enter into a new tenancy agreement with the landlord on mutually agreed terms and conditions.

If a tenancy for a fixed term ends and not been renewed or the premises have not been vacated by the tenant at the end of such tenancy, the tenancy shall be deemed to be renewed on a month-to-month basis on the same terms and conditions as were in the expired tenancy agreement, for a maximum period of 6 months.



Section 6 Of TN Rights and Responsibilities Of Landlords And Tenants Act



➤ Tenancy shall cease immediately after the death of the tenant.

➤ In the event of the death of a tenant, the right of tenancy of residential and non-residential premises shall devolve for the remaining period of tenancy to his successors in the following order:—

➤ (a) spouse;

➤ (b) sons/unmarried daughters;

➤ (c) parents;

➤ (d) daughter-in-law being the widow of a predeceased son:

➤ That the successor had been ordinarily living or working in the premises with the deceased tenant upto his death.

SECTION 7

RESTRICTION ON SUBLETTING

- ❑ Any tenant Shouldn't , without the Previous Consent in Writing of The Landlord Should Sublet Whole or Part of The Premises held by Him As A Tenant or Transfer his right in the Tenancy Agreement.
- ❑ The tenant Should inform Landlord about the Date of commencement/ Termination of the Sub Tenancy, Within a Month.



THE TAMIL NADU REGULATION OF RIGHTS AND RESPONSIBILITIES OF LANDLORDS AND TENANTS RULES, 2019

RULE 3 – MAKING OF AN APPLICATION AND TIMELINESS TO BE FOLLOWED FOR REGISTRATION OF TENANCY AGREEMENT

- ✓ Tenancy Agreement shall be registered with the Rent Authority u/s.4 within 90 days from the date of execution, if it is made after the commencement of the Act.
- ✓ The same shall be registered within 210 days from the date of execution, if it is made before the commencement of the Act.
- ✓ The Rent Authority shall verify the name, identity and address of the parties and grant Tenancy Registration Number (“T.R. No”) within 30 days from submission of application if the details provided are true.
- ✓ The Rent Authority shall upload the following details in Form – I on its website within 15 days from the date of registration.
 - Name of the details
 - Details of the premises
 - Tenure of the tenancy

First Schedule in The Tamilnadu regulation of rights and responsibilities of Landlords and tenants act, 2017

The First Schedule of the Act talks about the form for information of tenancy
It contains the following details

- Names and addresses of the landlords and tenants
- Description of previous tenancy and premises
- Date of Possession
- Rent Payable
- Amenities provided
- Attachment of Rent or Lease Agreements
- Duration of Tenancy
- Other Charges payable such as Electricity etc

Our Telegram channel link
for legal updates

<https://t.me/aslawonline>

