

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2015

CORAM

THE HONOURABLE **Mr. JUSTICE K.KALYANASUNDARAM**

CRP.(PD)No.1271 of 2015

P.Raja

.. Petitioner

vs

R.Vimal

..Respondent

PRAYER : This Civil Revision Petition filed under Article 227 of the Constitution of India directing the Principal District Munsif Court, Alandur to complete the proceedings in O.S.No.765 of 2011 pending on the file of the District Munsif Court, Alandur, within a specified date.

For Petitioner : M/s.S.Sethu Raman

ORDER

This civil revision petition is filed seeking for a direction to dispose of O.S.No.765 of 2011 pending on the file of District Munsif Court, Alandur within a specified period.

2. It is seen that the petitioner had instituted the suit against the respondent for delivery of vacant possession, contending that the respondent is a tenant under the petitioner, he failed to pay the arrears of rent from the month of September 2008. Due to non participation, the respondent was set exparte and a decree was passed

against him on 17.01.2013. The exparte decree was set aside and trial in the suit had commenced on 14.07.2014 and subsequently, the suit was being adjourned for cross examination of P.W.1.

3. Mr.S.Sethuraman, learned counsel for the petitioner submitted that the petitioner is a senior citizen of aged about 70 years and the respondent without paying the rents has been squatting on the property from the month of September 2008. Even though, the trial had commenced in the month of July 2014, the respondent has been deliberately and with a mala fide intention taking adjournment, which causes prejudice to the petitioner.

4. The learned counsel further submitted that the speedy trial is a fundamental right guaranteed under Article 21 of the Constitution of India .

5. Considering the facts of the case and submissions made by the learned counsel for the petitioner, the learned Principal District Munsif Court, Alandur, is directed to dispose of O.S.No.765 of 2011 as expeditiously as possible, preferably on or before 30.07.2015 on merits and in accordance with law.

6. In the result, the Civil Revision petition is disposed of. No costs.

27.03.2015

kkd

Index : Yes/No

Internet : Yes/No

To

The Principal District Munsif Court,

Alandur.

K.KALYANASUNDARAM,J.,

kkd

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