

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2015

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

C.R.P.(PD)No.2302 of 2015

P.S.Alamelu

... Petitioner

v.

V.Ganesan

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the VII Small Causes Court to dispose of M.P.No.904 of 2010 in M.P.No.973 of 2006 in R.C.A.No.1004 of 2006 within a fixed time framed as per the provisions of law that may be fixed by this court.

For Petitioner : Mr.Auxilia Peter

O R D E R

The landlord in R.C.O.P.No.1528 of 2005 on the file of XV Judge, Court of Small Causes, Chennai, has filed the above Civil Revision Petition to direct the VII Judge, Court of Small Causes, Chennai to dispose of the Petition in M.P.No.904 of 2010 in M.P.No.973 of 2006 in R.C.A.No.1004 of 2006, within a stipulated time.

2. The learned counsel appearing for the petitioner submitted that pursuant to the order of eviction granted in favour of the petitioner-landlord, she took possession of the property. Further, the learned counsel submitted that the respondent-tenant preferred an appeal in R.C.A.No.1004 of 2006, which was also dismissed by the Rent Control Appellate Authority. Further, the learned counsel submitted that during the pendency of the Rent Control Appeal, the respondent-tenant had deposited a sum of Rs.2,00,000/- (Rupees two laksh only) to the credit of R.C.A.No.1004 of 2006 and for withdrawing the said amount, the landlord filed a petition in M.P.No.904 of 2010, which is pending for more than 5 years. The learned counsel also submitted that in view of the long pendency of the petition, the petitioner-landlord is put to hardship and prejudice.

3. Having regard to the submission made by the learned counsel for the petitioner and also taking into consideration the limited prayer sought for in the Civil Revision Petition, without expressing any opinion with regard to the merits of the case, I direct the VII Judge, Court of Small Causes, Chennai, to dispose of the Petition in M.P.No.904 of 2010 in M.P.No.973 of 2006 in R.C.A.No.1004 of 2006, on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

With this observation, the Civil Revision Petition is disposed of. No costs.

24.06.2015

Index : No
Internet : Yes

Rj

To

The VII Judge,
Court of Small Causes,
Chennai,

M. DURAISWAMY,J.,

Rj

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