



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16/2/2015

C O R A M

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

C.R.P.NPD(MD) No.267 of 2015

and

MP(MD)No.2 of 2015

R. Pappaiya

... Petitioner

Vs

K. Shanthi

... Respondent

Petition filed under Section 115 of the Code of Civil Procedure against the order dated 29/1/2015 passed in E.P.No.2 of 2014 in R.C.O.P.No.3 of 2010 on the file of the District Munsif Court, Tiruchendur.

For petitioner

... Mr.G.Prabhu Rajadurai

O R D E R

The petitioner is the tenant, who suffered an order of eviction is challenging the order of delivery of possession.

2. Though against the order of eviction, the petitioner had filed R.C.A.No.11 of 2014 on the file of the learned Principal Sub-Judge, Tuticorin, no order has been passed in the stay application in I.A.No.33 of 2014. In the meanwhile, the landlord had levied execution and obtained an order of eviction which was ordered and the delivery to be effected on 27/2/2015. In view of the urgency of the matter and since there is no Presiding Officer/Principal Sub-Court, Thoothukudi, the revision has been filed before this Court.

3. The learned counsel for the petitioner represents that the learned Sub-Judge, Kovilpatti is visiting the Sub-Court, Tuticorin once in a week i.e., on every Friday and hence it will be possible for the learned Judge to take up I.A.No.33 of 2014 only on 6/3/2015. So, as the matter stands adjourned to 4/3/2015, the learned counsel prays for the stay of the operation of the delivery ordered in E.A.No.2 of 2014 on the file of the Rent Control, District Munsif, Tiruchendur till 6/3/2015.



4. Considering the limited prayer sought for by the learned counsel appearing for the petitioner, this Court is inclined to grant stay of the order till 6/3/2015. It is open to the petitioner to move the Rent Control Appellate Authority to obtain appropriate order as per law.

5. Accordingly, the order passed in E.A.No.2 of 2014 by the Rent Control, District Munsif, Tiruchendur is stayed till 6/3/2015 to enable the petitioner to move the Sub-Court, Tuticorin.

6. With the above direction, this Civil Revision Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant Registrar

To

The District Munsif, Tiruchendur.

+1cc to Mr.G.Prabhu Rajadurai,Advocate, SR.No.7124

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mvs
PA/17.02.15/2P/3C (IT)