



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.06.2016

CORAM:

WEB COPY

THE HONOURABLE Mr. JUSTICE M. KALYANASUNDARAM

C.R.P.NPD(MD)No.1236 of 2016
and
C.M.P. (MD)No.5995 of 2016

Ganesan

... Petitioner

Vs.

Muthu Pandian

... Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, against the returned docket order of his lodgment schedule No.2972 of 2016 dated 07.04.2016 filed in I.A.Nos.36 and 37 of 2015 in un numbered R.C.As. Of 2015 by the Rent Control Appellate Court / Sub Court, Srivilliputhur, Virudhunagar District.

For Petitioner : Mr.M.Kalamurugappan
For Respondent : Mr.S.Ramesh

ORDER

This revision is filed seeking for a direction to the Rent Control Appellate Court / Sub Court, Srivilliputhur, Virudhunagar, to receive the lodgment schedule of the petitioner.

2.This Court in C.R.P.(NPD)(MD)No.296 and 297 of 2016, while condoning the delay of 49 days in filing the rent control appeal, directed the petitioner to pay rental arrears of Rs.39,600/- (upto March 2016) and a cost of Rs.2,000/- to the counsel for the respondent within a period of 2 weeks from the date of receipt of the order.

3.Mr.M.Kalamurugappan, learned counsel for the petitioner would submit that though the order copy was made ready on 26.02.2016, it was delivered to the counsel only on 28.03.2016, within two weeks lodgment schedule was filed. However, it was returned stating that it was filed out of time.

4.The learned counsel would further submit that as on date, the rental arrears comes to Rs.44,000/- and he is ready to pay another Rs.6,000/- towards costs on or before 01.07.2016.



5.The learned counsel for the respondent would submit that in the earlier revision, a direction was given to the tenant to pay rental arrears to the counsel for the respondent and therefore, there was absolutely no necessity for the petitioner to file a lodgment schedule and it was filed only to delay the proceedings.

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6.Considering the above submissions, this Civil Revision petition is disposed of with a direction to the petitioner to pay rental arrears of Rs.50,000/- to the respondent on or before 01.07.2016 and on such compliance, the Appellate Authority shall number the rent control appeals filed by the petitioner, failing which, the order passed in this revision would cancel automatically. No costs. Consequently, connected M.P.is closed.

Sd/-

Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

To

The Judge,
Rent Control Appellate Court /
Sub Court, Srivilliputhur,
Virudhunagar District.

+ 1 CC TO MR.M.KALAMURUGAPPAN, ADVOCATE IN SR No. 33143/16
+ 1 CC TO MR.S.RAMESH, ADVOCATE IN SR No. 33396/16

NBJ

TE/SS-2/ : 19/08/2016 : 2P/4C

C.R.P. (MD) NPDNo.1236 of 2016
and
C.M.P. (MD) No.5995 of 2016
24.06.2016