



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.08.2016

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.R.P. (MD) No.1589 of 2016

K.S.SALHAL BIBI

.. PETITIONER

Vs.

1 I.S.AHAMED MUSTAFA TABREZ
I.S.AMJAD HUSSAIN (DIED)

2 M.K.SABEENA

3 SAIMA @ NOORNISHA

4 S.RASHMA @ ZAINAB BIBI

.. RESPONDENTS

Prayer: Civil Revision Petition is filed under Article 227 of Constitution of India, to direct the learned Principal Subordinate Judge, Madurai to dispose the Rent Control Appeal in R.C.A.No.30 of 2014 on the file of the learned Principal Subordinate Court, Madurai within a time frame fixed by this Court.

For Petitioner : Mr.S.M.A.Jinnah

ORDER

This Revision is filed seeking for a direction to the learned Rent Control Appellate Authority(Principal Subordinate Judge), Madurai, to dispose of the R.C.A.No.30 of 2014 within a time frame.

2. Heard the learned counsel appearing for the petitioner and perused the records.

3. Mr.S.M.A.Jinnah, learned counsel for the petitioner would submit that the petitioner/landlady filed R.C.O.P.No.97 of 2003 under Section 4 of Tamil Nadu Buildings (Lease & Rent Control) Act XVIII of 1960. After contest, the learned Rent Controller fixed the fair rent. Being dissatisfied with the order, the petitioner preferred an appeal in R.C.A.No.30 of 2014 before the learned Rent Control Appellate Authority, Madurai. Though the learned Rent Control Appellate Authority heard the arguments on 05.12.2015, the Judgment was not delivered so far.



4. Learned counsel for the petitioner would further submit that subsequently from 18.12.2015, the appeal was *suo motu* reopened and adjourned under caption "for clarification" and in the meanwhile, the second respondent/tenant died and the petitioner has already filed the application to bring the legal heirs of the deceased on record and they were brought on record. It is further submitted that the delay in disposal causes hardship and mental agony to the petitioner.

5. Considering the above facts, the learned Rent Control Appellate Authority(Principal Subordinate Judge), Madurai shall dispose of the appeal in R.C.A.No.30 of 2014 as expeditiously as possible, preferably on or before 30.11.2016.

6. With the above directions, the Civil Revision Petition is disposed of. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Principal Subordinate Judge,
(Rent Control Appellate Authority),
Madurai.
2. The Additional District Munsif,
(Additional Rent Controller)
Madurai Town.

PMU
TE/DB : 14/09/2016 : 2P/3C

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