



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2016

CORAM:

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.R.P (MD) No.1622 of 2016 (PD)

S.R.Rajan Alias Rajendran .. Petitioner/Petitioner-landlord

Vs.

1.P.Subbash .. 1st Respondent/1st Respondent-Tenant
2.N.Balaji .. 2nd Respondent/ 2nd Respondent-Sub Tenant

Prayer : This Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the learned Additional District Munsif (Rent Controller), Madurai and to dispose as expeditiously the R.C.O.P.No.165 of 2009 on the file of the Additional District Munsif (Rent Controller), Madurai within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.T.R.Subramanian

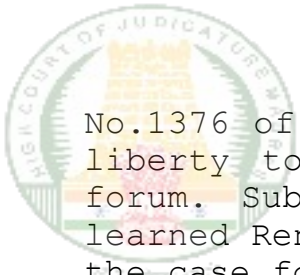
ORDER

This revision is filed seeking for a direction to the Rent Controller/Additional District Munsif, Madurai, to dispose of R.C.O.P.165 of 2009 in a time frame.

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

3. Mr.T.R.Subramanian, learned counsel for the petitioner would submit that the petitioner as a Landlord initiated eviction proceedings against the respondents under Section 10(2)(ii)(a), 10(2)(ii)(b) and 10(3)(a)(ii) of Tamilnadu Buildings Lease and Rent Control Act. The evidence on the side of the petitioner was already over and now the case is posted for the evidence of the tenants. But they have been taking adjournments periodically, with a view to drag on the proceedings, which causes great hardship and irreparable loss to the petitioner.

4.The learned counsel would further submit that the tenants filed an application in I.A.No.284 of 2013, for appointment of an Advocate Commissioner, to note down the physical features of the property. The learned Rent Controller dismissed the application, which was challenged by the tenants before this Court in C.R.P.(MD)



No.1376 of 2014. This Court, dismissed the revision petition giving liberty to the tenants to file an appeal before the appropriate forum. Subsequently, they did not choose to file an appeal. The learned Rent Controller without considering these aspects adjourned the case for filing the report of the Advocate Commissioner.

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5. Considering the submissions of the learned counsel for the petitioner and without going into the merits of the case, the learned Rent Controller/Additional District Munsif, Madurai Town, is directed to dispose of R.C.O.P.165 of 2009 as expeditiously as possible, preferably, on or before 30.11.2016.

6. With the above direction, this Civil Revision Petitions is disposed of. No Costs.

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

Additional District Munsif Court,
Madurai Town.(Rent Controller)

+1 cc to Mr.T.R.Subramanian ,Advocate, Sr.No: 47124

JAM/GSV-PM/9.09.16/2p-3c

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