



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 19.10.2016

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

C.R.P (MD) No.2108 of 2016

T.Raja Meiyappan

..Petitioner/Petitioner

vs.

1.Sridharan

2.P.Suriyanarayanan

..Respondents/Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, praying this Court to direct the Rent Controller-cum-District Munsif, Madurai Town to expedite the trial in R.C.O.P.No.191 of 2014, on his file, within the time frame fixed by this Court.

For Petitioner : M/s.P.Saravanakumar

ORDER

This revision has been filed seeking for a direction to direct the Rent Controller-cum-District Munsif, Madurai Town to expedite the trial in R.C.O.P.No.191 of 2014, on his file, within the time frame fixed by this Court.

2.The Petitioner herein filed R.C.O.P.No.191 of 2014 praying for eviction against the respondents herein for alternative use, sub-letting, waste and devaluation of property, nuisance and own use and to deliver the petition mentioned property to the Petitioner herein. The respondents herein has not filed the written statement for the past two years and hence the R.C.O.P is pending without any progress. While-so, the Petitioner, on an earlier occasion, filed C.R.P(PD)(MD)No.10 of 2016 before this Court and this Court by order, dated 7.1.2016, directed the Court below to dispose of R.C.O.P.No.191 of 2014 within a period of six months from the date of receipt of a copy of this order, after receiving the memo of objection from the opposite party. Thereafter, the respondents herein filed the written objections. The respondents have not appeared before the trial Court, taking advantage of the Lawyer's Boycott, during the said period. The Petitioner filed the proof affidavit and thereafter on 19.07.2016, the respondents are set ex-parte by the Court below, for non-examination of P.W.1. Thereafter the respondents filed an application in I.A.No.134 of 2016 and the said application was dismissed for non-prosecution on 10.8.2016. Again the Respondents have filed I.A.No.137 of 2016 before the Court below to set aside the order passed in I.A.No.134 of 2016, dated 10.8.2016 and the same is pending. Now the Petitioner has filed the present C.R.P to dispose of the R.C.O.P.No.191 of 2014 within the time frame fixed by this Court.



3.Now, the learned counsel for the Petitioner seeks one week time to file counter affidavit in I.A.No.137 of 2016 in R.C.O.P.No.191 of 2014.

4.Considering the facts and circumstances of the case and also considering the fact that this Court, by order, dated 7.1.2014, in the earlier C.R.P(PD)(MD)No.10 of 2016 filed by the revision petitioner herein, has directed the Court below to dispose of the R.C.O.P.No.191 of 2014 within a period of six months from the date of receipt of a copy of this order, this Court is inclined to pass the following Order:

The Rent Controller-cum-District Munsif, Madurai Town is directed to dispose of I.A.No.137 of 2016 in I.A.No.134 of 2016 in R.C.O.P.No.191 of 2014, on his file, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

5.With the above direction, the Civil Revision Petition is disposed of. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To
The Rent Controller-cum-District Munsif,
Madurai Town.

+1cc to M/s.P.Saravanakumar, Advocate in SR.61795

C.R.P(PD)(MD)No.2108 of 2016
19.10.2016

vsn

PBK/EM-MPA 15/11/2016 ::2P-3C: