



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2016

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

WEB COPY

C.R.P(MD)No.2619 of 2016 (PD)

Syed Abdullah Kaliba Sahibu Thaikka,
Kadayanallur, Represented by its Muthavalli,
P.A.Abdul Majeeth
S/o.Abdul Rahman,
No.6-B Chettipillaiyar Street,
Main Road, Kadayanallur Town,
Tenkasi Taluk, Tirunelveli District.

....Petitioner/
Petitioner

Vs.

A.Ajish

....Respondent/Respondent

PRAYER: Civil Revision Petition is filed, under Article 227 of the Constitution of India, to direct the Principal District Munsif (Rent Controller) Court, Tenkasi to dispose the Rent Control Original Petition in R.C.O.P.No.15 of 2013 within the time fixed by this Honourable Court by allowing this civil revision petition.

For Petitioner : Mr.H.Arumugam

ORDER

The petitioner has filed this Civil Revision Petition to direct the Principal District Munsif (Rent Controller) Court, Tenkasi, to dispose the Rent Control Original Petition in R.C.O.P.No.15 of 2013, within the time fixed by this Honourable Court.

2.The petitioner is the plaintiff. The respondent is the defendant. The petitioner filed R.C.O.P.No.15 of 2013 before the Principal District Munsif, Rent Controller, Tenkasi, against the respondent, for eviction on the ground of willful default. The respondent filed counter on 17.03.2014 and enquiry was commenced, P.W.1 was examined in Chief on 02.07.2014 and also he was cross-examined in part and for further cross-examination, the said R.C.O.P., was adjourned to 09.07.2014. Subsequently, without cross-examining the P.W.1, the respondent filed a petition to stay the proceedings under Section 10 of C.P.C., and did not cross-examine the petitioner and taking number of adjournments. The RCOP is being adjourned frequently for more than 23 times and the same is not disposed of. In the circumstances, the petitioner has come out with the present Civil Revision Petition.



3. I have heard the learned counsel appearing for the petitioner and also perused the entire materials on record.

4. Having been taken into consideration of the material facts and circumstances, this Court is of the view that in the interest of justice, it may be expedient to issue a direction to the Principal District Munsif, Rent Controller, Tenkasi.

5. Accordingly, this Civil Revision Petition is allowed and the learned Principal District Munsif, Rent Controller, Tenkasi is directed to dispose of R.C.O.P.No.15 of 2013 as expeditiously as possible, in any event, not later than, 30th June, 2017. No costs.

Sd/
Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant Registrar

To

The Principal District Munsif,
(Rent Controller) Court, Tenkasi

+1cc to M/s.H.Arumugam, Advocate, in SR No.83390

am

AAM MR VB 31.01.2017 2P 3C

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