



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.03.2016

CORAM:

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

C.R.P. (MD) .No.328 of 2016(PD)

WEB COPY

N.Chelladurai

..Petitioner

Vs.

1.T.Chockalingam

2.C.Kumar

..Respondents

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to direct the Rent Controller, Nagercoil (The Principal District Munsif Court, Kanyakumari at Nagercoil), to dispose of R.C.O.P.No.3 of 2012 within a time, as stipulated by this Court.

For Petitioner : Mr.C.T.Perumal

For Respondents : Mr.K.P.Narayanakumar
for R2

ORDER

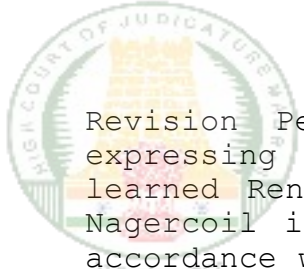
This Civil Revision Petition has been filed for a direction to the Rent Controller, Nagercoil (The Principal District Munsif Court, Kanyakumari at Nagercoil), to dispose of R.C.O.P.No.3 of 2012 within a time, as stipulated by this Court. The above said petition has been filed for eviction of the respondents from the petition schedule property, on the ground of demolition and reconstruction of the petition schedule property.

2. In the said RCOP, the respondents entered appearance and filed their counter. The RCOP was listed for trial. The petitioner filed proof affidavit and the respondents counsel cross examined the petitioner and it is posted for further cross examination of the petitioner. At that stage, the respondents did not cross examine the petitioner. Therefore, the respondents were set exparte on 20.08.2013 and the said petition was posted for orders on 26.08.2013. On that date, the learned Rent Controller has passed an order, directing the respondents to vacate the petition premises and hand over the premises within a month. Thereafter, the respondents filed I.A.No.23 of 2014 to set aside the exparte order passed on 26.08.2013. The said I.A.No.23 of 2014 was allowed and R.C.O.P.No.3 of 2012 was posted for trial. After various adjournments, PW1 was partly cross-examined and it is posted for cross-examination of PW1 on 28.02.2015. From that date, the respondents did not cross examine the petitioner and taking adjournments. In the circumstances, the petitioner has come up with this Civil Revision Petition, for speedy disposal.

3. The learned counsel appearing for the second respondent submitted that already cross-examination of PW1 was over and it is posted for further evidence of the petitioner side.

<https://hcservices.ecourts.gov.in/hcservices/>

4. Having regard to the submissions made by the learned counsel on either side and considering the limited prayer sought for in the Civil



Revision Petition and also the RCOP is of the year 2012, without expressing any opinion with regard to the merits of the matter, the learned Rent Controller/Principal District Munsif Court, Kanyakumari at Nagercoil is directed to dispose R.C.O.P.No.3 of 2012 on merits and in accordance with law, as expeditiously as possible, in any event not later than 31st day of August, 2016.

4. With the above direction, this Civil Revision Petition is disposed of. No Costs.

Sd/-

Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar(CS)

To
The Principal District Munsif Court,
Kanyakumari at Nagercoil.

+1cc to Mr.K.P.Narayanakumar, Advocate in SR.18021

+1cc to Mr.C.T.Perumal, Advocate in SR.17630

C.R.P. (MD) .No.328 of 2016(PD)
30.03.2016

pjl

PBK/NGM-SS 26.04.2016 ::2P-4C: