

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2017

**CORAM:
THE HON'BLE MR.JUSTICE P.DEVADASS
CRP(PD). No.1349 of 2017**

K.S.Damayanthi .. Petitioner

Vs.

M/s.Victory Sports
Rep. By its Proprietor R.Karthikeyan,
No.13/2, Welcome Colony,
Thirumangalam, Anna Nagar West Extension,
Chennai-600 101. .. Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India directing the learned XIV Small Causes Court at Chennai to dispose of M.P.No.63 of 2017 in RCOP No.1718 of 2016 as early as possible.

For Petitioner : Mr. P.Krishnan

O R D E R

This is a landlord's revision.

2. As only a limited prayer is sought for and in the facts and circumstances of this revision, we shall dispose of this revision today at the admission stage itself.

3. In a landlord-tenant dispute, one of the salient feature is

landlord wish quick disposal while tenant wishes late disposal. It is a common feature. The reasons are not far to seek.

4. In this case, the revision petitioner rented out a non residential premises to the respondent on a monthly rent of Rs.75,000/- in which the respondent is running his business under the name and style of 'Victory Sports'. It is near Welcome Colony in Thirumangalam in a busy commercial area. The tenant fell into huge arrears. As on date, it is 25,05,000/-, it is growing.

5. In R.C.O.P.No.1718 of 2016 pending before the learned Rent Controller/XIV Judge, Court of Small Causes, Chennai the revision petitioner seeks to evict the respondent on the ground of wilful default. In RCOP, the revision petitioner filed M.P.No.63 of 2017 u/s. 11(4) of the TamilNadu Buildings (Lease and Rent Control) Act, 1960 (hereinafter referred to as Act) for payment of rent arrears in default struck off his defence and order eviction.

6. The learned counsel for the revision petitioner/landlord

submitted that the tenant is adopting delaying tactics. Even in Section 11(4) petition, there is huge arrears.

7. In the light of the above submissions, I have perused the adjudication orders. There is no significant progress in M.P.No.63 of 2017. In the facts and circumstances, it requires early disposal.

8. Ordered as under:

(i) The learned Rent Controller/XIV Judge, Small Causes Court, Chennai is directed to dispose of M.P.No.63 of 2017 in RCOP.No.1718 of 2016 within one month from the date of receipt of a copy of this order in accordance with law.

(ii) Accordingly, this revision is disposed of. No costs.

Index: Yes/No
Internet: Yes/No
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12.4.2017

Note: Issue on 13.4.2017

Dr.P.DEVADASS,J.

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To

1. The Chief Judge,
Court of Small Causes,
Chennai.

Copy to

1. The Registrar (Judicial)
2. The Assistant Registrar (Appellate side)
High Court, Madras.

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