

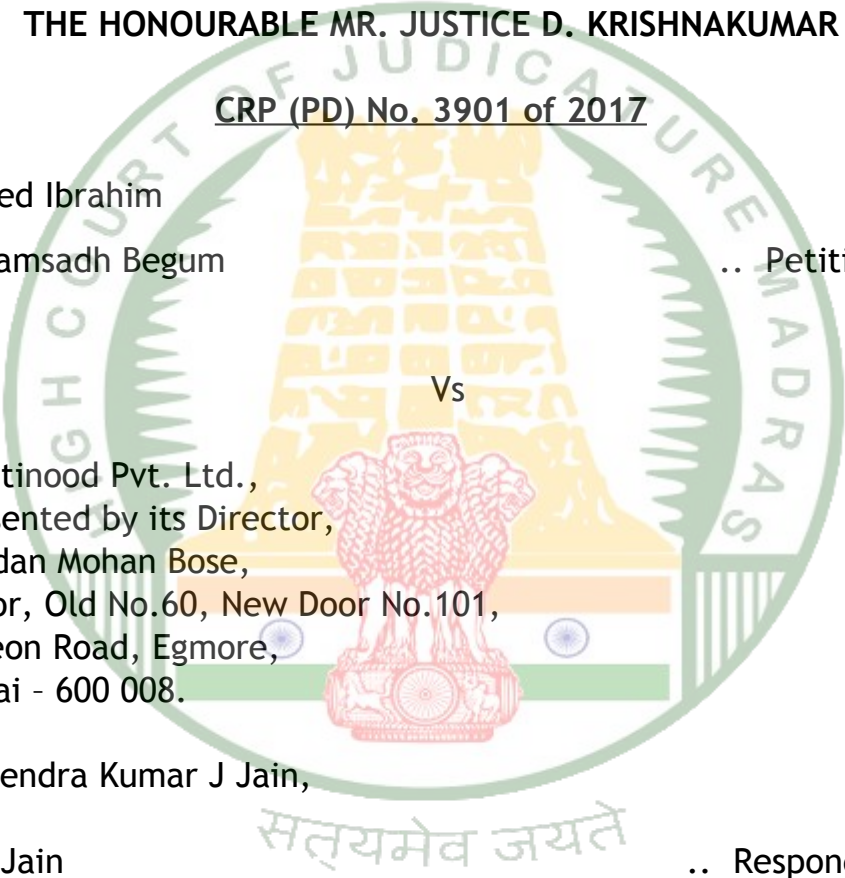
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.10.2017

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRP (PD) No. 3901 of 2017

- 
1. V.A.Syed Ibrahim
2. V.S.Shamsadh Begum .. Petitioners
- Vs
1. M/s.Satinood Pvt. Ltd.,
Represented by its Director,
Mr.Madan Mohan Bose,
1st Floor, Old No.60, New Door No.101,
Pantheon Road, Egmore,
Chennai - 600 008.
2. H.Jeetendra Kumar J Jain,
3. Bharti Jain .. Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the XII Judge, Small Cause Court, Chennai, to dispose of the petition in R.C.O.P.No.1304 of 2016, within a stipulated period of time, as fixed by this Court.

For Petitioners : Mr. K.M.Manikandan

ORDER

This Civil Revision Petition is filed seeking to direct the learned XII Judge, Small Causes Court, Chennai, to dispose of the petition in R.C.O.P.No.1304 of 2016, within a stipulated time, as fixed by this Court.

2. The learned counsel for the petitioners submitted that the petitioners are the owners of the western side of the suit schedule property and the 2nd and 3rd respondents are the owners of the eastern side. The 1st respondent was a tenant under the petitioners from 2009. In order to explore their business of departmental stores, the petitioners requested the 1st respondent to vacate the premises. Since the same was refused, the petitioners filed RCOP No. 1304 of 2016 on the ground of additional accommodation. Pending RCOP, the petitioners purchased the eastern side of the property also, from the 2nd and 3rd respondents and became the absolute owners of the entire property. Hence, the case against the 2nd and 3rd respondents are not pressed. Subsequently, the 1st

respondent entered appearance on 24.10.2016 and filed their counter affidavit on 23.03.2017. Hence, the trial was posted on 17.04.2017 for evidence of PW1, after recording evidence and marking exhibits, the case was posted to 07.06.2017. Subsequently, the petition filed by the 1st respondent in M.P. No. 234/2017 was allowed, on condition that the petitioner should cross examine PW1 on 18.07.2017. Again, it was adjourned from time to time. Finally, PW1 was fully cross examined on 28.08.2017, endorsement was made by the petitioner and the case was posted for respondent side evidence. Since, the 1st respondent is dragging on the proceedings inspite of several opportunities granted to him, this revision petition has been filed before this Court.

3. It is seen from the docket orders, the court below has adjourned the case from time to time, providing opportunity to the 1st respondent. Hence, at this stage, this Court is not inclined to give any specific time for disposal of the petition. However, taking into consideration the aforesaid facts, the Court below is directed to dispose of the suit, as expeditiously as possible.

4. The Civil Revision Petition is disposed of, with the above direction. No costs.

25.10.2017

Index : Yes/ No

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To

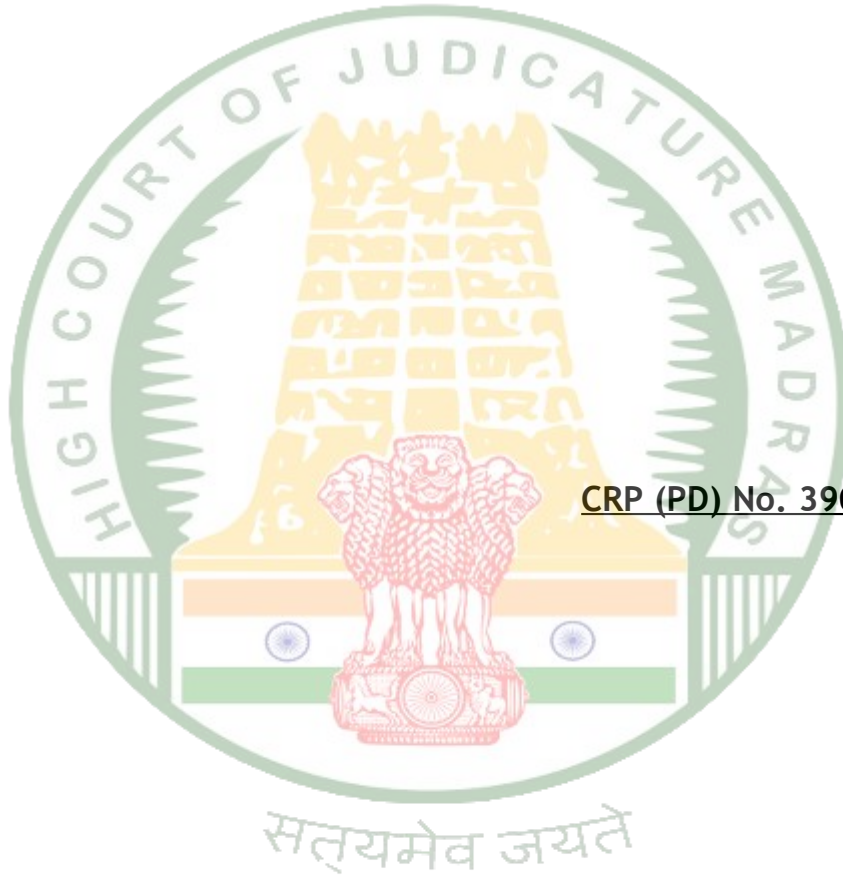
The XII Judge,
Small Causes Court,
Chennai.



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D. KRISHNAKUMAR J.,

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