

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2017

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

C.R.P.(NPD).No.4083 of 2017

and

C.M.P.No.19158 of 2017

C.R.P.(NPD).No.4084 of 2017

Kushal Raj Jain .. Petitioner in both C.R.Ps.

Vs.

Balakrishnan .. Respondent in both C.R.Ps.

PRAYER: Civil Revision Petition filed under 115 of C.P.C. against the order 11.10.2017 and 31.10.2017 in E.A.No.242 of 2017 in E.P.No.13 of 2017 in R.C.O.P.No.1 of 2016 passed by the Principal District Munsif Court, Kallakurichi and prays to set aside the same.

For Petitioner : Mr.A.Tamilvanan

For Respondent : Mrs.R.Meenal

COMMON ORDER

The petitioner has filed these Civil Revision Petitions to set aside the order dated 11.10.2017 and 31.10.2017 in E.A.No.242 of 2017 in E.P.No.13 of 2017 in R.C.O.P.No.1 of 2016 passed by the Principal District Munsif Court, Kallakurichi.

2. The learned counsel for the petitioner would submit that the petitioner has filed an appeal in R.C.A.No.1 of 2017 before the Rent Control Appellate Authority, Kallakurichi and the same is pending before the appellate court. Therefore, the petitioner has filed the present application to stay the execution proceedings pending before the E.P.Court.

3. According to the learned counsel for the respondent, the petitioner has not obtained any interim order in the said appeal and therefore, the court below has rightly rejected the said appeal filed by the respondent. But, however, the learned counsel for the respondent would submit that when the Rent Control Appeal is taken up, for final disposal, the respondent will cooperate to dispose the aforesaid appeal.

4. In the light of the above submission made by the counsel for the parties, at this stage, this Court is inclined to direct the appellate authority to dispose of the R.C.A.No.1 of 2017, within a period of two months from the date of receipt of a copy of this order. Both the parties undertakes to cooperate the expeditious disposal of the appeal. In the

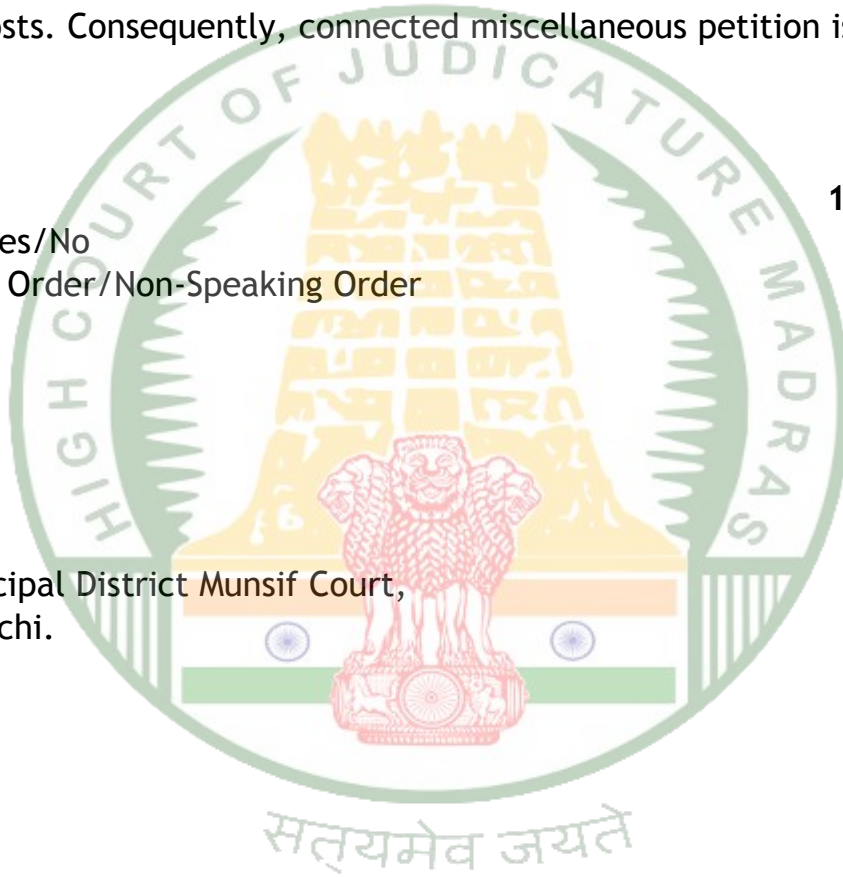
meantime, the execution petition filed by the petitioner shall be kept in abeyance.

With the above, both the Civil Revision Petitions are disposed of. No costs. Consequently, connected miscellaneous petition is closed.

15.11.2017

Index: Yes/No
Speaking Order/Non-Speaking Order
ssn

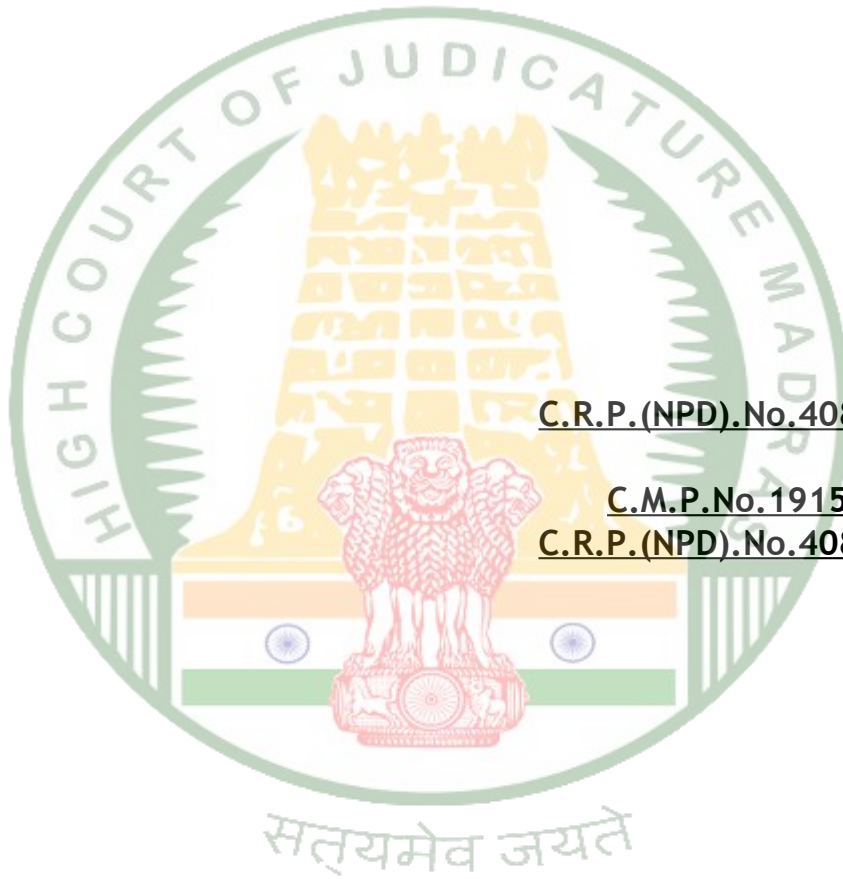
To
The Principal District Munsif Court,
Kallakurichi.



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D. KRISHNAKUMAR, J.,

ssn



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