

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 06.10.2017****CORAM:****THE HONOURABLE MRS.JUSTICE J.NISHA BANU****C.R.P. (MD) No.1616 of 2017**1.P.Ganesan
2.Palaniammal

... Petitioners

-vs-

M.Mohamed Nizar

... Respondent

PRAYER: Civil Revision Petition is filed, under Article 227 of the Constitution of India, to disposal of E.P.No.37 of 2015 in R.C.O.P.No.19 of 2008 on the file of the Rent Control Tribunal cum District Munsif Court, Ramanathapuram in a speedy manner and to dispose of same within a time frame fixed by this Court.

For Petitioners : Mr.K.P.S.Palanivel Rajan

O R D E R

This Civil Revision Petition has been filed to dispose of E.P.No.37 of 2015 in R.C.O.P.No.19 of 2008 on the file of the Rent Control Tribunal cum District Munsif Court, Ramanathapuram in a speedy manner and to dispose of same within a time frame fixed by this Court.

2. Heard the learned counsel for the petitioners and perused the materials available on record.

3.The petitioners would aver among other things that the first petitioner has filed R.C.O.P.No.19 of 2008 and eviction order was passed as early as on 04.10.2013. Against which, the respondent has filed an appeal in R.C.A. No.18 of 2013 and the same was dismissed for default on 31.03.2015 and after filing of necessary application, the appeal was restored on 29.02.2016. Even after restoration, the appellant has not come forward to proceed with the case and again it was dismissed for default on 21.06.2016 pursuant to the order passed by this Court in C.R.P.No.747 of 2017 dated 11.04.2017.

4. The learned counsel for the petitioner would further submit that the petitioners are senior citizens and the respondent is only delaying the proceedings of the case by allowing the case for dismissal and thereafter, filing restoration petition.



5. Even after the order of this court in C.R.P.No.747 of 2017 dated 11.4.2017, the respondent is dragging on the case in one way or other.

6. It is seen that R.C.A. No.18 of 2013 was disposed of by the learned Judge Rent Control Tribunal cum District Munsif Judge, Ramanathapuram on 21.06.2017.

7. Considering the facts and circumstances of the case and considering the fact that the petitioners are senior citizens there will be a direction for speedy disposal of E.P.No.37 of 2015 in R.C.O.P.No.19 of 2008. The Rent Control Tribunal-cum-District Munsif, Ramanathapuram shall dispose of E.P.No.37 of 2015 in R.C.O.P.No.19 of 2008 within a period of one month from the date of receipt of copy of this order.

8. With the above direction, this civil revision petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To:

1. The District Munsif (Rent Control Tribunal),
Ramanathapuram.
2. The Subordinate Judge,
(Rent Control Appellate Authority),
Ramanathapuram.

+1cc to Mr.K.P.S.Palanivel Rajan, Advocate Sr.No.81751

CM

VB/KK/SAR3/27/11/2017/2P/4C

C.R.P. (MD) No.1616 of 2017
06.10.2017