



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.02.2017

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANIC.R.P(MD)No.222 of 2017 (NPD)

Dr.R.Venkadasundaram

.. Petitioner/Respondent

Vs.

R.Vinothkumar

.. Respondent/Appellant

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the Rent Control Appellate Authority (Sub-Court), Madurai to dispose the appeal in R.C.A.No.9 of 2016, within the time fixed by this Court by allowing this Civil Revision Petition.

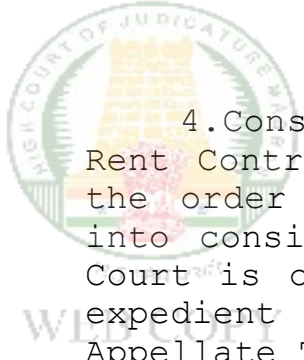
For Petitioner : Mr.H.Arumugam

ORDER

This petition has been filed by the petitioner to direct the Rent Control Appellate Authority (Sub-Court), Madurai to dispose the appeal in R.C.A.No.9 of 2016, within the time fixed by this Court by allowing this Civil Revision Petition.

2.The petitioner filed R.C.O.P.No.2 of 2015 on the file of the District Munsif, Madurai Town (Rent Controller) for eviction on the ground of willful default and additional accommodation. The petitioner also filed I.A.No.189 of 2015 under Section 11(3) and (4) for direction to the respondent to pay the arrears of rent of Rs.1,98,000/- and to continue to pay the same, in default prayed for ordering eviction. The said application was allowed on 10.02.2016. The respondent did not pay the rent. The respondent filed R.C.A.No.9 of 2016 before the Sub Court (Rent Control Appellate Tribunal), Madurai. On receiving notice in the Rent Control Appeal, the petitioner appeared on 18.04.2016 and from that onwards, the Rent Control Appeal is periodically adjourned as await records. Taking advantage of the long adjournment, the respondent did not pay the arrears of rent. The Rent Control Appeal is adjourned from 27.07.2016 to 28.09.2016 on various dates on the ground of await records. Now posted the case to 19.02.2017 endorsing that trial Court records received. In the circumstances, the petitioner has come out with the present Civil Revision Petition for early disposal of the R.C.A.No.9 of 2016.

<https://hcservices.courts.gov.in/hcservices/> heard the learned counsel appearing for the petitioner and also perused the entire materials on record.



4.Considering the fact that the records are received in the Rent Control Appeal and the Rent Control Appeal is filed against the order passed in R.C.O.P.No.2 of 2015 and having been taken into consideration of the material facts and circumstances, this Court is of the view that in the interest of justice, it may be expedient to issue a direction to the Sub Court (Rent Control Appellate Tribunal), Madurai.

5.Accordingly, this Civil Revision Petition is allowed and the learned Sub Court (Rent Control Appellate Tribunal), Madurai is directed to dispose of R.C.A.No.9 of 2016 as expeditiously as possible, in any event, not later than, 30th April, 2017. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1.The Sub Court (Rent Control Appellate Tribunal),
Madurai

2.The Section Officer,
V.R Section,
The Maduria Bench Of Madras High Court,
Madurai.

+1cc to Mr.H.Arumugam,Advocate,SR No.6122

C.R.P (MD) No.222 of 2017 (NPD)
03.02.2017

KK/CM.MSM/20.2.2017/2P.4C