

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE **D. KRISHNAKUMAR**

CRP(NPD).No.630 of 2018

1.Mothilal Jain
2.Simbumal

.. Petitioners

Vs

Balaraman

.. Respondent

PRAYER

Civil Revision Petition filed under Section 25 of the Tamil Nadu Buildings (Lease and Rent Control) Act amended by Act 23 of 1973 & 1 of 1980 to direct the Appellate Authority (Principal Subordinate Judge), Tindivanam to dispose of the RCA.No.1 of 2015 pending before it as early as possible.

For Petitioners : Mr.T.Dhanasekaran

ORDER

According to the revision petitioners, the revision petitioners and others have filed a petition in RCOP.No.8 of 1997 for eviction against the respondent herein on the ground of wilful default

and owner's occupation. The aforesaid RCOP was allowed. Challenging the aforesaid order, the respondent has preferred an appeal before the Principal Subordinate Judge, Tindivanam and the said appeal is pending. Hence, the revision petitioners have filed the present Civil Revision Petition before this Court for early disposal of the said RCA.

2. The learned counsel for the revision petitioners would submit that an application in the above RCA is also pending before the court below. The learned counsel for the revision petitioners undertakes that in the event of this Court considers the prayer sought for in the present Civil Revision Petition, the revision petitioners will not initiate eviction proceedings against the respondent herein, pending the appeal and also undertakes that the revision petitioner will file an affidavit, before the court below, in the aforesaid application.

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

4. In view of the aforesaid facts and the undertaking of the

learned counsel for the revision petitioners, without expressing any opinion on merits, this Court is inclined to direct the Principal Subordinate Judge, Tindivanam to dispose of the RCA.No.1 of 2015 on merits and in accordance with law as expeditiously as possible preferably on or before 31.07.2018.

5. The Civil Revision Petition is disposed of with above direction. No costs.

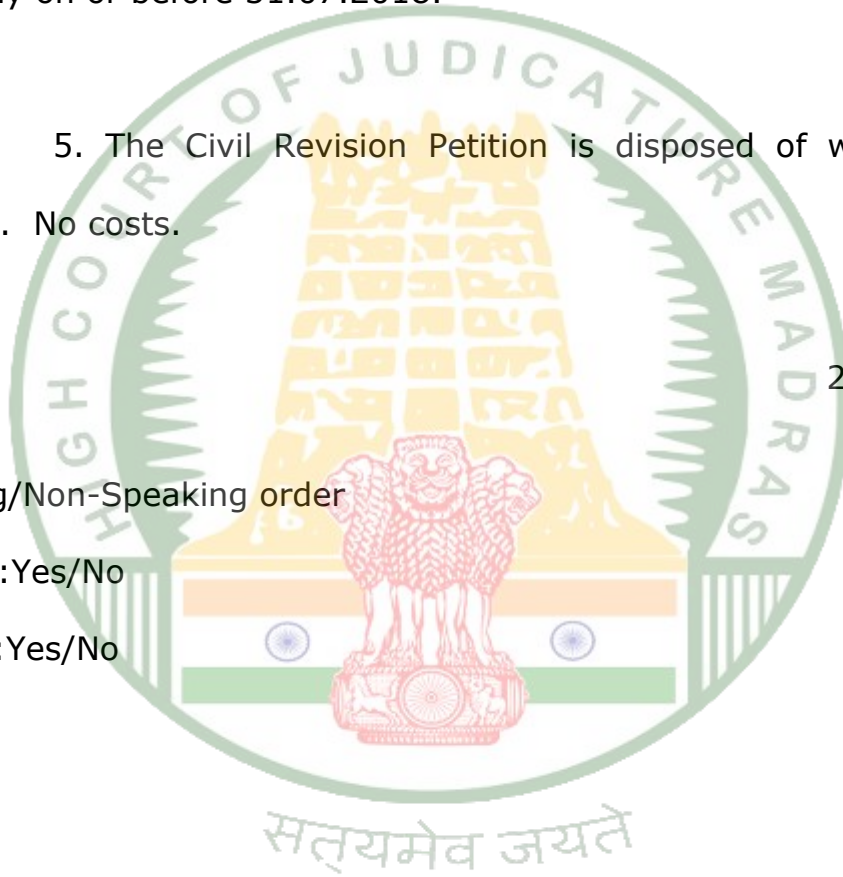
21.02.2018

Speaking/Non-Speaking order

Index :Yes/No

Internet:Yes/No

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To

The Appellate Authority,
(Principal Subordinate Judge),
Tindivanam

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D. KRISHNAKUMAR J.,

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