

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 04.07.2018

Coram:

THE HONOURABLE **MR.JUSTICE P.VELMURUGAN**C.R.P.(NPD)Nos.1926 & 1927 of 2018

1. A.Uma
2. A.Deepak
3. A.Gayathri Devi ... Petitioners in both the CRPs

Vs.

Dr.Dhinakar ... Respondent in both the CRPs

Prayer in both the CRPs: Civil Revision Petitions have been filed under Article 227 of the Constitution of India seeking to direct the learned VIII Judge, Court of Small Causes, (Rent Control Appellate Authority), Chennai, to dispose of the pending M.P.No.177 of 2017 in R.C.A.No.274 of 2017 & M.P.No.178 of 2017 in R.C.O.P.No.275 of 2017 respectively on merits within the time frame fixed by this Court.

For Petitioners : Mr.R.Abdul Mubeen

ORDER

These civil revision petitions have been filed seeking direction of this Court to the learned VIII Judge, Court of Small Causes, Chennai, for speedy disposal of M.P.No.177 of 2017 in R.C.A.No.274 of 2017 & M.P.No.178 of 2017 in R.C.O.P.No.275 of 2017.

2 The petitioners herein are landlords and the respondent is

tenant. The petitioner had initiated rent control proceedings in R.C.O.P.No.615 of 2014 before the learned XV Judge, Court of Small Causes, Chennai, on the ground of wilful default. Pending the above R.C.O.P., since the respondent did not pay the rent regularly, the petitioners had filed miscellaneous petition in M.P.No.383 of 2016 seeking direction to the respondent to pay the monthly rent regularly and also for arrears. The said petition was allowed by order dated 30.01.2017 by directing the respondent to pay the arrears and monthly rent, failing which, the respondent shall be evicted from the premises. Subsequently for non compliance of the order dated 30.01.2017, the main R.C.O.P. has been allowed by passing order of eviction dated 06.03.2017.

3 The respondent herein filed two appeals in R.C.A.No.274 & 275 of 2017 against the orders dated 30.01.207 and 06.03.2017 respectively, in which he has also filed two miscellaneous petition seeking stay of the above orders. Since there is no progress in the above miscellaneous petitions as well as in the R.C.As, the petitioners have come forward with these civil revision petitions for speedy disposal of the same.

4 The learned counsel for the petitioners would submit that the above two miscellaneous petitions and also the rent control appeals have been filed by the respondent herein, in which there is no considerable progress. Hence the petitioners seek early disposal of the above cases pending on the file of the learned VIII Judge, Court of Small Causes, (Rent Control Appellate Authority), Chennai.

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

6 On a perusal of the records, it is seen that the petitioners are landlords who got decree in favour of them in the year 2014 itself in R.C.O.P.No.615 of 2014. Since the respondent filed appeals against orders in M.P.No.383 of 2016 in R.C.O.P.No.615 of 2014 and in R.C.O.P.No.615 of 2014, the petitioners herein who are the landlords have suffered monetary loss. On seeing the adjudication of the above appeals and miscellaneous petitions, pending on the file of the Rent Control Appellate Authority, it is seen that there is no considerable progress in the proceedings.

7 No doubt, prolonging and protracting the proceedings will

certainly cause serious prejudice to the parties, who affected by the same. Disposal of the case within the reasonable time is principles of natural justice and at any point of time, it should not be violated. Hence the Rent Control Appellate Authority is hereby directed to dispose of the miscellaneous petitions in M.P.Nos.177 & 178 of 2017 and also the R.C.A.Nos.274 & 275 of 2017 in accordance with law within a period of two months from the date of receipt of a copy of this order. It is made clear that no extention of time will be entertained, if any application is made for extention of time, the same will be viewd seriously.

8 With the above directions, these civil revision petitions are disposed of. No costs.

04.07.2018

Index: Yes/No
Internet: Yes/No
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To

1. The VIII Judge, Court of Small Causes,
(Rent Control Appellate Authority), Chennai.

2. The XV Judge, Court of Small Causes, Chennai.

P.VELMURUGAN, J.,

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