



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2018

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P(MD)No.249 of 2018 (PD)

C.Balasubramanian

... Petitioner/Landlord

Vs.

R.L.Rasu

... Sole Respondent/Tenant

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to direct the District Munsif (Rent Controller) Madurai Town, to dispose of the RCOP.No.27 of 2015 within the time limit stipulated by this Court.

For Petitioner : Mr.D.Selvanayagam

ORDER

This Civil Revision Petition has been filed seeking a direction to the District Munsif, (Rent Controller) Madurai Town, to dispose of the RCOP.No.27 of 2015, within a stipulated time as fixed by this Court.

2.The learned counsel for the petitioner would submit that the respondent was inducted as a tenant in respect of the schedule mentioned property from 24.02.2013 on monthly rental basis and the tenancy is for residential purposes only. The tenancy was commenced from 01.03.2013. He would further submit that the respondent is irregular in payment of rent and the respondent has tendered the payment of rent to the landlord only for two months i.e. upto April 2013. Thereafter, he has stopped the payment of rent from May 2013 to till date. The respondent is a chronic defaulter in paying the rent and inspite of repeated demands made by the petitioner, the respondent did not care about the payment of rent and wilfully committed default and therefore, the respondent is liable to be evicted on the ground of wilful default under section 10(2) (i) and 10(2) (vii) of Tamil Nadu Buildings (Lease and Rent Control) Act, 1960. He would further submit that the respondent had curiously filed a suit in O.S.No.337 of 2013 before the District Munsif, Madurai, against the Landlord for bare injunction, as if the Landlord attempted to evict him forcibly and therefore, the petitioner come forward with the present application for early disposal of the Rent Control Original Petition.



3. Heard the learned Counsel for the petitioner and perused the materials available on record.

4. The prayer in this petition itself is with a limited scope for speedy disposal of the suit and therefore, no notice is necessary to the respondent.

5. Considering the case is of the year 2015 and also considering facts and circumstances of this case, this Court is of the view that ends of justice would be met, if a direction is issued to the trial Court, for speedy disposal of the said suit. Accordingly, having regard to the submissions made by the learned Counsel for the petitioner and also taking into consideration the limited scope of the prayer sought for by the petitioner, this Court, without expressing any opinion with regard to the merits of the case, directs the learned District Munsif, (Rent Controller) Madurai Town, to dispose of the RCOP.No.27 of 2015, on merits and in accordance with law within a period of six months from the date of receipt of a copy of this order.

6. With the above direction, this Civil Revision Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

The District Munsif (Rent Controller),
Madurai Town.

+ 1 CC TO Mr.D.SELVANAYAGAM, ADVOCATE IN SR No. 46667

RM

TE/KKR/SAR-4 : 26/02/2018 : 2P/3C

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