



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.02.2018

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (PD) (MD) No.347 of 2018

S.M.Vaithiyanathan @ Kumaran .. Petitioner / Petitioner/Landlord

Vs.

S.N.Ponraj ..Respondent /Respondent/Tenant

PRAYER: Petition filed under Article 227 of the Constitution of India, to direct the learned District Munsif, Madurai Taluk, Madurai to dispose of the I.A.No.118 of 2016 and I.A.No.22 of 2017 in RCOP No.31 of 2013, within a time limit fixed by this Court.

For Petitioner : Mr.PT.S.Narendravasan

ORDER

The Civil Revision Petition has been filed seeking a direction to the learned District Munsif, Madurai Taluk, Madurai to dispose of the I.A.No.118 of 2016 in I.A.No.22 of 2017 in RCOP No.31 of 2013, within a stipulated time as fixed by this Court.

2. The petitioner is the landlord, who has filed the RCOP No.31 of 2013 against the respondent for eviction. The grievance of the revision petitioner is that though the RCOP petition has been filed in the year 2013, the same is being adjourned by the trial Court periodically and therefore, he has come up with this civil revision petition for the aforesaid prayer.

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

4. Since the case is for a limited relief of early disposal, no notice need be sent to the respondent.

5. A perusal of the 'B' Diary extract would go to show that as stated by the learned counsel for the petitioner, the case has been adjourned on several occasions without any valid reason. Though the petitioner has come up with this civil revision petition seeking a direction to dispose of the interlocutory applications, which are pending for two years, considering the fact that the R.C.O.P. petition has been pending from 2013 onwards, this Court,

without going into the merits of the allegation raised by the revision petitioner, is inclined to direct the Court below to dispose of I.A.No.118 of 2016 in I.A.No.22 of 2017 in RCOP No.31 of 2013, within a stipulated period.

6. In view of the above, the learned District Munsif, Madurai Taluk, Madurai, is directed to dispose of I.A.No.118 of 2016 in I.A.No.22 of 2017 in RCOP No.31 of 2013, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

7. The Civil Revision Petition is ordered accordingly. No costs.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar

To
The District Munsif,
Madurai Taluk, Madurai.

+1CC to Mr.PT.S.Narendravasan, Advocate, SR.No. 52181

C.R.P. (PD) (MD) No.347 of 2018

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28.02.2018

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AM/SV MMS/SAR 4/16.03.2018/2P/3C