



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.04.2018

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THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN**C.R.P. (MD) (PD) No.849 of 2018**

B.Senthilkumar

.. Petitioner/Petitioner/Petitioner

Vs.

Nagarathinam

.. Respondent/Respondent/Respondent

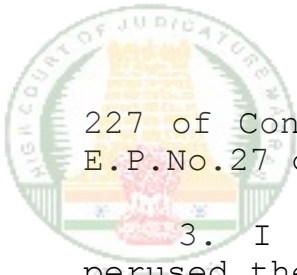
PRAYER: Petition filed under Article 227 of the Constitution of India, praying to direct the learned Principal District Munsif, Dindigul to dispose the E.P.No.27 of 2017, on the file of the learned Principal District Munsif, Dindigul, within the time framed by this Court.

For Petitioner : Mr.M.P.Senthil

ORDER

This Civil Revision Petition has been filed to direct the learned Principal District Munsif, Dindigul (Rent Controller, Dindigul) to dispose the E.P.No.27 of 2017 pending on his file, within a time frame.

2. The petitioner has filed Rent Control Original Petition in R.C.O.P.No.8 of 2016, before the learned District Munsif, Dindigul (Rent Controller, Dindigul). The said petition was allowed as exparte on 21.12.2016 by the Rent Controller, Dindigul. The same was challenged by the respondent by way of filing condone delay petition in I.A.No.34 of 2017 and to set aside the exparte decree in I.A.No.35 of 2017. Subsequently, both applications are allowed on 20.09.2017 on condition that the respondent herein, who is the petitioner in I.A.No.34 and 35 of 2017 would pay a sum of Rs.1000/- as cost to this petitioner on or before 09.10.2017 and the next hearing date was fixed on 10.10.2017. But, the said amount was not paid. Therefore, on 10.10.2017, the said applications were dismissed. Later on, the respondent filed another three applications in I.A.Nos.140, 141 and 142 of 2017 to restore the above said two applications and to extend the time for paying the said cost of Rs.1000/-. But, the said applications were also dismissed. Thereafter, the respondent has filed E.A.No.29 of 2018 in E.P.No.27 of 2017 in R.C.O.P.No.8 of 2016, seeking to stay the EP proceedings on the ground that challenging the order passed in I.A.Nos.140, 141 and 142 of 2017, she has to prepare revision petition before the Hon'ble High Court. Now, the CRP petition filed by the respondent is numbered and the same is pending. Now, the present revision petitioner, who is the landlord, filed this petition under Article



227 of Constitution of India to expedite the execution petition in E.P.No.27 of 2017.

3. I have heard the learned counsel for the petitioner and perused the materials placed on record.

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4. Admittedly, the revision petitioner, who is the landlord filed R.C.O.P.No.8 of 2016 on the file of the learned Principal District Munsif (Rent Controller), Dindigul and the same was decreed in favour of him and later he filed E.P.No.27 of 2017 in R.C.O.P.No.8 of 2016. But, the respondent in turn filed application in E.A.29 of 2018 in E.P.No.27 of 2017 in R.C.O.P.No.8 of 2016 and the same is pending.

5. The respondent, who is the tenant has not at all received the case in the proper manner, she filed one after another applications, which were dismissed by the learned Principal District Munsif, Dindigul. It shows that the respondent wants to drag on the EP proceedings. Hence, the revision petitioner filed the present petition to expedite the proceedings in E.P.No.27 of 2017. Therefore, I am inclined to pass the following order:

The learned Principal District Munsif, Dindigul is directed to dispose of the application in E.A.No.29 of 2018 in E.P.No.27 of 2017 in R.C.O.P.No.8 of 2016 filed by the respondent and E.P.No.27 of 2017 in R.C.O.P.No.8 of 2016 filed by the petitioner within a period of two months from the date of receipt of the copy of this order.

6. Accordingly, this Civil Revision Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (W)

/True copy/

Sub Assistant Registrar

To

1. The Principal District Munsif,
Dindigul.

2. The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+1cc to Mr.M.P.Senthil, Advocate, SR.No.61568.

C.R.P. (MD) (PD) No.849 of 2018

PJL

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