



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2018

CORAM

THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

C.R.P. (PD) (MD) .No. 441 of 2015

and

C.M.P. (MD) No. 1 of 2015

1. Nirmala Rani

2. Tamil Selvi

.. Petitioners/Respondent 2 & 3/
Defendants 2 & 3.

Vs.

1. Kumaran Middle School,
North Street, D.No.5/23,

Ramanathapuram Town,

Rep. by its Secretary N.Raja.

S/o. Nalluchamy Thangavelchamy lane

North Street, Ramanathapuram Town .. 1st Respondent/Petitioner/
Plaintiff

2. Sri Shanmugananda Bajanai Mutt

Rep. by its Present Secretary P.M. Gurusamy.

North Street, Ramanathapuram Town .. 2nd Respondent/

1st Respondent/

1st Defendant.

PRAYER : Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the Order and Decreeal Order dated 19.12.2014 in I.A.No.183 of 2014 in O.S.No.83 of 2012 on the file of the learned District Munsif Court, Ramanathapuram.

For Petitioners : Mr.V. Sitharanjandas

For Respondent-1 : Mr.T. Antony Arulraj

For Respondent-2 : Mr.D.Rajkumar

ORDER

The petitioners have come forward with this Civil Revision Petition to set aside the Order and Decreeal Order dated 19.12.2014 in I.A.No.183 of 2014 in O.S.No.83 of 2012 on the file of the learned District Munsif Court, Ramanathapuram.

2. The petitioners are the defendants-2 & 3 and the 1st respondent is a plaintiff in O.S.No.83 of 2012. The plaintiff has filed O.S.No.83 of 2012 before the District Munsif Court, Ramanathapuram seeking to deposit the arrears of rent into Court. During the pendency of the suit, the 1st respondent/plaintiff filed I.A.No.183 of 2014 in O.S.No.83 of 2012 under Section 151 of Civil Procedure of Code to pass an order, allowing the petitioner/plaintiff to deposit the arrears of rent of RS.20,400/- (Rupees Twenty Thousand Four Hundred) into Court and the trial Court has allowed the interlocutory



application. Aggrieved over the same, the revision petitioners have come forward with this Civil Revision Petition.

3. Heard the learned counsel for the revision petitioner and learned counsel for the respondents and perused the documents available on record.

4. Admittedly, the respondent seeks permission only to deposit the arrear of rent of Rs.20,400/- (Rupees Twenty Thousand and Four Hundred Only). Allowing the said application no prejudice would be caused to this petitioner. Since, if he succeed in the suit, he will pay the amount.

5. Considering the nature of the order in the petition, this Court is not inclined to allow the Civil Revision Petition. Accordingly, the Civil Revision Petition is dismissed by confirming the Order dated 19.12.2014 in I.A.No.183 of 2014 in O.S.No.83 of 2012 passed by the learned District Munsif, Ramanathapuram. The petitioners are giving liberty to file an appropriate application before the Court below and the same may be entertained by the Court below. This Court also giving liberty to the 2nd respondent to make objections for the application filed by the petitioner. The learned District Munsif, Ramanathapuram is directed to dispose the three suits in O.S.Nos.237 of 1983, 97 of 1995 and 52 of 1998 respectively; pending on its file within a period of four months from the date of receipt of copy of this order, by conducting the trial on day-to-day basis without giving any adjournments to either parties and all the parties are directed to give their fullest cooperation for early disposal. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1. The District Munsif, Ramanathapuram.
2. The Section Officer, (2 copies)
V.R.Section,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.T. Antony Arulraj, Advocate Sr.No.62024
+1cc to Mr.V. Sitharanjandas ,Advocate Sr.No.61667

KSA

VB/SV/MMS/SAR2/16/05/2018/2P/6C