



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

C.R.P.(PD)(MD)No.1358 of 2018

N.Backialakshmi Ammal

... Petitioner

Vs.

S.Raja Hussain

... Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the learned Additional District Munsif cum Rent Controller, Madurai Town to dispose of R.C.O.P.No.129 of 2015 in I.A.No.216 of 2016.

For Petitioner : Mr.Niranjana S.Kumar

ORDER

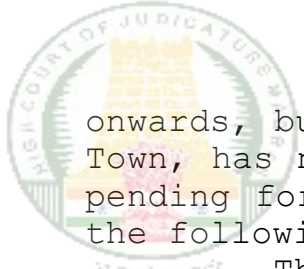
This Civil Revision Petition is filed for a direction to the learned Additional District Munsif cum Rent Controller, Madurai Town to dispose of R.C.O.P.No.129 of 2015 in I.A.No.216 of 2016.

2.The petitioner has filed R.C.O.P.No.129 of 2015 before the District Munsif Court cum Rent Controller, Madurai Town. The said R.C.O.P has been filed in the year 2015 and the same is pending for more than 3 ½ years without any further proceedings. Therefore, the petitioner has approached this Court by invoking the jurisdiction under Article 227 of the Constitution of India, seeking for a direction to the learned District Munsif cum Rent Controller, Madurai Town, to dispose of the R.C.O.P.No.129 of 2015, within a particular period.

3. Heard the learned counsel for the petitioner and perused the materials placed before this Court.

4.The R.C.O.P.No.129 of 2015 has been filed in the year 2015 and for more than 3 ½ years, it was continuously adjourned. It is seen from the 'B' dairy extract, which clearly shows that the matter has been adjourned for filing counter.

5. Since the petitioner has sought for a limited prayer for early disposal of the R.C.O.P, no notice is necessary to the respondent, which would cause no prejudice anyway to the respondent. It is an admitted fact that the R.C.O.P., is pending from 2015



onwards, but the District Munsif Court cum Rent Controller, Madurai Town, has not taken any action to dispose of the R.C.O.P., which is pending for more than 3 ½ years. Therefore, I am inclined to pass the following order:

The learned District Munsif cum Rent Controller, Madurai Town, is directed to dispose of the R.C.O.P.No.129 of 2015, within a period of four months from the date of receipt of a copy of this order, on day-to-day basis without giving any adjournment to either parties. The parties are also directed to give their fullest co-operation for early disposal of the R.C.O.P., within the time limit fixed by this Court for passing orders. The learned District Munsif cum Rent Controller, Madurai Town, is directed to file a compliance report before this Court within a period of ten days after passing orders in R.C.O.P.No.129 of 2015.

6. The Civil Revision Petition is disposed of, with the above directions. No costs.

Sd/-
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The District Munsif cum Rent Controller,
Madurai Town.
2. VR Section,
Madurai Bench of Madras High Court,
Madurai.(2 copies)

+1 CC to Mr.NIRANJAN S.KUMAR, Advocate in SR.No.71485

NS
RJ/RP/SAR-3/20/07/2018 - 2P/5C

C.R.P. (PD) (MD) No.1358 of 2018
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