



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

C.R.P. (PD) (MD) No.1412 of 2018

P.Jeya Prakash

...Petitioner/Respondent

Vs.

Mrs.Majora

...Respondent/Appellant

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the Rent Control Appellate Authority (Subordinate Judge), Tirunelveli to dispose of the pending R.C.A.No.5 of 2016 as expeditiously as possible and within the time stipulated by this Court.

For Petitioner : Mr.C.Jeganathan for
M/s.Veera Associates

O R D E R

This Civil Revision Petition is filed for a direction to the the Rent Control Appellate Authority (Subordinate Judge), Tirunelveli, to dispose of the pending R.C.A.No.5 of 2016 within the stipulated period.

2.The petitioner is the respondent in R.C.A.No.5 of 2016, which has been filed before the Rent Control Appellate Authority (Subordinate Judge), Tirunelvlei. The said R.C.A., has been filed in the year 2016 and the same is pending for more than two 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 Rent Control Appellate Authority (Subordinate Judge), Tirunelvlei, to dispose of the R.C.A.No.5 of 2017, within a particular period.

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

4.The R.C.A.No.5 of 2016 has been filed in the year 2016 and for more than two years, it was continuously adjourned. It is seen from the 'B' dairy extract, which clearly shows that the matter has been posted for Arguments.



5. Since the petitioner has sought for a limited prayer for early disposal of the R.C.A., 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.A., is pending from 2016 onwards, but the Rent Control Appellate Authority (Subordinate Judge), Tirunelveli, has not taken any action to dispose of the R.C.A., which is pending for more than two years. Therefore, I am inclined to pass the following order:

The Rent Control Appellate Authority (Subordinate Judge), Tirunelveli, is directed to dispose of the R.C.A.No.5 of 2016 within a period of two 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.A., within the time limit fixed by this Court for passing orders. The Rent Control Appellate Authority (Subordinate Judge), Tirunelveli, is directed to file a compliance report before this Court within a period of ten days after passing orders in R.C.A.No.5 of 2016.

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

Sd/
Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

To

1.The Rent Control Appellate Authority
(Subordinate Judge),
Tirunelveli.

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

3.The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.VEERA ASSOCIATES, Advocate, SR.No.72503

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