



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

C.R.P.(PD) (MD)No.1626 of 2018

S.M.S.Selva Ganesan

...Petitioner/Petitioner

Vs.

M/s.Moorthy Enterprises
Through its Partner
R.Selvamani
A Block in Basement Floor,
D.No.8 & 9, Vengalakadai Street,
1st Lane, Madurai-1.

...Respondent/Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the District Munsif/Rent Controller, Madurai Town to dispose of the suit in Rent Control Original Petition No.211 of 2014 within a time frame as fixed by this Court.

For Petitioner : Mr.RM.Arun Swaminathan

ORDER

This Civil Revision Petition is filed for a direction to the District Munsif/Rent Controller, Madurai Town to dispose of the suit in R.C.O.P.No.211 of 2014 within the Stipulated time.

2.The petitioner has filed an application in R.C.O.P.No.211 of 2014 before the District Munsif (Rent Controller) Madurai Town, for fixation of fair rent, against the respondents. The said R.C.O.P has been filed in the year 2014 and the same is pending for more than 4 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 the District Munsif (Rent Controller) Madurai Town, to dispose of the R.C.O.P.No.211 of 2014, 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.211 of 2014 has been filed in the year 2014 and for more than four years, it was continuously adjourned. It is



seen from the 'B' dairy extract, which clearly shows that the matter has been adjourned periodically citing the pendency of the I.A.

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 2014 onwards, but the District Munsif (Rent Controller) Madurai Town, has not taken any action to dispose of the R.C.O.P., which is pending for more than four years. Therefore, I am inclined to pass the following order:

The District Munsif (Rent Controller) Madurai Town, is directed to dispose of the R.C.O.P.No.211 of 2014 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.O.P., within the time limit fixed by this Court for passing orders. The District Munsif (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.211 of 2014.

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

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar(CS-I)

To

The District Munsif (Rent Controller)
Madurai Town.

+1CC to Mr.RM.Arun Swaminathan Advocate in SR.No.75963.

NS

DS/SKN/SAR-1 :09.08.2018: 2P/3C

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