



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.11.2018

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (PD) (MD) No.2534 of 2018

M.Muthulakshmanan

... Petitioner

Vs.

S.Ramasamy

... Respondent

PRAYER: Petition filed under Article 227 of the Constitution of India, seeking a direction the learned District Munsif cum Judicial Magistrate, (Rent Controller), Thirupatthur, to dispose of R.C.O.P.No.2 of 2018, within a stipulated time limit.

For Petitioner : Mr.G.Thalaimutharasu

ORDER

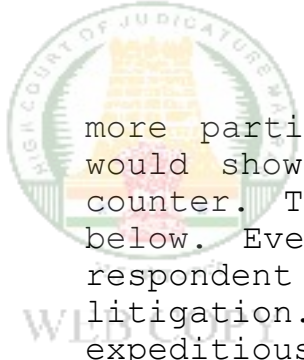
This Civil Revision Petition has been filed seeking a direction to the learned District Munsif cum Judicial Magistrate, (Rent Controller), Thirupatthur, to dispose of R.C.O.P.No.2 of 2018, within a stipulated time limit.

2. Learned Counsel for the petitioner would submit that the subject mentioned property belongs to him, in which, the respondent is a tenant. When the petitioner asked the respondent to vacate the premises for his own use, the respondent stopped paying rent, as a result, as on date, there is a rental arrears of more than Rs.1,00,000/-. Therefore, the petitioner has filed R.C.O.P.No.2 of 2018, on the grounds of wilful default, damages caused to the building and for own use. His grievance is that, the respondent, though entered appearance through a Counsel, instead of contesting the proceedings, is taking mechanical adjournments and alleging some urgency, the petitioner, being a 75 years old senior citizen, is before this Court with the aforesaid prayer.

3. Heard the learned Counsel for the petitioner and perused the materials available on record. Notice to the respondent is dispensed with, since the prayer itself is for a limited scope seeking early disposal of the suit proceedings.

<https://hcs.spcourt.gov.in/hcs/serve>

4. It is seen that the suit was filed in the year 2018 only,



more particularly, on 02.07.2018. Perusal of the B-Diary extract would show that the matter was adjourned thrice for respondent's counter. This Court is not aware of the work load of the Court below. Even then, the Court below will have to ensure that the respondent / defendant does not unnecessarily prolong the litigation. Therefore, the said suit is directed to be disposed of expeditiously.

5. With the above direction, the Civil Revision Petition is disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar (CS-II)

To

The District Munsif cum Judicial Magistrate,
Rent Controller,
Thirupatthur.

+ 1 CC TO Mr.G.THALAIMUTHARASU, ADVOCATE IN SR No. 95967

GK
TE/BK/SAR-2 : 05/12/2018 : 2P/3C

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