



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:18.06.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

C.R.P. (MD) Nos.2447, 2448, 1755 and 1799 of 2013
and
M.P. (MD) Nos.1, 1,1 & 1 of 2013

C.R.P. (MD) No.2447 of 2013

Neshamani

... Petitioner

Vs.

1.A.Sudharshan
2.Aravind Babu

... Respondents

PRAYER: Petition filed under Section 227 of the Constitution of India, to set aside the docket order dated 11.12.2013 passed in E.P.No.21 of 2013 in R.C.O.P.No.43 of 2011 on the file of Rent Controller (Principal District Munsif), Tirunelveli.

C.R.P. (MD) No.2448 of 2013

Gayathri

... Petitioner

Vs.

1.A.Sudharshan
2.Aravind Babu

... Respondents

PRAYER: Petition filed under Section 227 of the Constitution of India, to set aside the docket order dated 04.12.2013 passed in E.P.No.23 of 2013 in R.C.O.P.No.45 of 2011 on the file of Rent Controller (Principal District Munsif), Tirunelveli.

C.R.P. (MD) No.1755 of 2013

Thanalakshmi

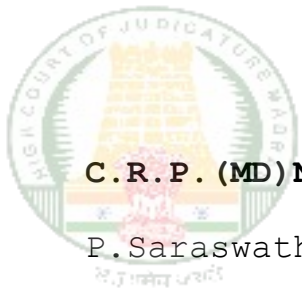
... Petitioner

Vs.

1.A.Sudharshan
2.Aravind Babu

... Respondents

PRAYER: Petition filed under Section 227 of the Constitution of India, to challenge the delivery order passed in E.P.No.18 of 2013 in R.C.O.P.No.47 of 2011, order dated 12.09.2013, on the file of the Principal District Munsif Court, Tirunelveli.

**C.R.P. (MD) No.1799 of 2013**

P.Saraswathy

... Petitioner

WEB COPY

Vs.

1.A.Sudharshan

2.Aravind Babu

... Respondents

PRAYER: Petition filed under Section 227 of the Constitution of India, to challenge the delivery order passed in E.P.No.20 of 2013 in R.C.O.P.No.39 of 2011, order dated 12.09.2013, on the file of the Principal District Munsif Court, Tirunelveli.

For Petitioners : No appearance
For Respondents : Mr.M.P.Senthil
(in all C.R.Ps)

COMMON ORDER

Though the learned counsel appearing for the petitioners is absent, the Civil Revision Petitions are disposed of on merits.

2.It is stated that in all the Civil Revision Petitions, the tenants are the revision petitioners. It is further stated that an exparte order of eviction was passed in all the rent control revision proceedings initiated by the respondents on 14.09.2012. It is further stated that the petitioners filed an application to condone the delay in filing the petition to set aside the exparte order of eviction and the same was dismissed by the lower Court. It is further stated that no appeal has been filed as against the orders passed by the Rent Controller dismissing the applications filed by the tenants to condone the delay in filing the petitions to set aside the exparte order in all the eviction petitions.

3.The revision petitioners have filed applications to set aside the exparte order of delivery in the Execution Petitions, along with the said petitions, to set aside the exparte order of delivery, the petitioners/tenants have also filed the Petition to condone the delay in filing the petition to set aside the exparte order of delivery in the Execution Petitions filed by the landlord. The petitions filed under Section 5 of the Limitation Act are dismissed on the ground that the delay has not been properly explained and that the reasons given by the petitioners in the respective applications are vague. This Court is of the view that the order of the lower Court is right in dismissing the execution petitions. Further, the revision petitioners have not challenged the order dismissing the petitions filed by the revision petitioners to condone the delay in filing the petition to set aside the exparte order of eviction passed by the Rent Controller in all the proceedings. Since the eviction orders passed by the Rent Controller in all the proceedings have become final, this Court is not



inclined to entertain the Civil Revision Petitions.

4.As a result, all the Civil Revision Petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

WEB COPY

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

The Rent Controller (Principal District Munsif),
Tirunelveli.

+ 2 CC TO Mr.M.P.SENTHIL, ADVOCATE IN SR No. 68695 & 68696

RMI

TE/SKN-RSK/SAR-2 : 16/07/2018 : 3P/4C

C.R.P. (MD) Nos. 2447, 2448, 1755 and 1799 of 2013
18.06.2018