

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 24.06.2019

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU**C.R.P (MD) .No.950 of 2019 (NPD)**

P.T.Ramkishan

... Petitioner/Petitioner / Landlord

Vs.

M.A.Anand

... Respondent/Respondent / Tenant

PRAYER:- Civil Miscellaneous Petition filed under Article 227 of the Constitution of India, praying to direct the learned Additional District Munsif, Madurai Town to dispose E.P.No.285 of 2018 in R.C.O.P.No.89 of 2016 on the file of the Additional District Munsif Court, Madurai Town within a stipulated time.

For petitioner : Mr.T.R.Subramanian

ORDER

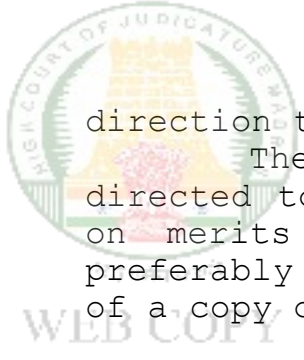
This civil revision petition has been filed by the petitioner seeking a direction to the learned Additional District Munsif, Madurai Town to dispose E.P.No.285 of 2018 in R.C.O.P.No.89 of 2016 pending on his file within a stipulated time.

2. The learned counsel for the petitioner submitted that the petitioner has filed R.C.O.P.No.89 of 2016 against the respondent herein for eviction on the ground of wilful default. Subsequently, the R.C.O.P. was allowed. As against the order passed by the Court below in the RCOP, the respondent did not file an appeal. Hence, the petitioner filed E.P.No.285 of 2018 against the respondent. The respondent herein filed counter to the execution petition on 01.04.2019. The grievance of the petitioner is that though E.P.No.285 of 2018 in R.C.O.P.No.89 of 2016 has been pending for about 10 months, the matter has been periodically adjourned and no progress is made. The petitioner is ready to cooperate with the Court below. Hence, he has filed this revision petition seeking a direction for early disposal of the said petition.

3. Heard the learned counsel for the petitioner and perused the materials available on record.

4. In view of the limited relief sought for by the petitioner and considering the fact that no prejudice would be caused to the respondent by ordering this petition, this Court is of the view that notice need not be sent to the respondent.

5. Considering the year of the R.C.O.P as well as the execution petition, and also considering the submission of the learned counsel for the petitioner, this Court is inclined to issue the following



direction to the Court below:

The learned Additional District Munsif, Madurai Town, is directed to dispose of E.P.No.285 of 2018 in R.C.O.P.No.89 of 2016 on merits and in accordance with law, as early as possible, preferably within a period of three months from the date of receipt of a copy of this order.

6. This revision petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Additional District Munsif,
Madurai Town,
Madurai.

+1 CC to Mr.T.R.SUBRAMANIAN, Advocate (SR-70797[F] dated
24/06/2019)

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24.06.2019

gcg

MK (02.07.2019) 2P 3C