



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2019

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P (PD) (MD) No.2884 of 2018

1) R.M. Krishnan Chettiar

2) M. Meyyammai Achi

... Petitioners

vs.

1) S. Soundarrajan

2) S. Chandra Sekaran

3) Vishnu Enterprises,

B-6/3, Sasthri Road,

Thillai Nagar,

Trichy-18.

... Respondents

PRAYER: Petition filed under Article 227 of the Constitution of India, to direct the learned Rent Control Appellate Authority/Principal Subordinate Judge, Trichirappalli to dispose of the RCA.No.52 of 2017 on his file at the earliest and within a time frame that may be fixed by this Hon'ble Court.

For Petitioner : Mr.A.S.Vijayaragavan

For R3 : Mr.R.Sundar Srinivasan

ORDER

This revision is filed for a direction to the Court below for early disposal of the rent control appeal.

2. Learned counsel for the petitioners would aver among other things that the petitioners/landlords filed RCOP.No.111 of 1994 against the respondents 1 to 3/tenants before the Rent Controller, II Additional District Munsif Court, Trichirappalli, for eviction of the respondents from the petition premises. After passing all the delaying tactics adopted by the respondents 1 to 3, the RCOP was disposed of on 02.11.2016 ordering eviction of the tenants on both the grounds of wilful default and sub-letting. After the expiry of the period granted to the tenants for vacating the premises, finding that they did not vacate the petition premises, the petitioners filed E.P.No.156/2017 and thereafter, the tenants filed RCA.No.52/2017 on the file of the Principal Subordinate Judge, Trichirappalli and obtained stay of the execution proceedings on 11.10.2018. According to the petitioners, though the rent control appeal was filed on 05.09.2017, the respondents adopting all sorts of delaying tactics, successfully got number of



adjournments in the appeal, preventing the petitioners from enjoying the fruits of the eviction order passed in the RCOP. Thus, the learned counsel prayed for a direction to the Court below for early disposal of the RCA.

3. Since it is only a petition seeking direction for early disposal of RCA, notice to the respondents is not necessary.

4. Considering the fact that RCOP.No.111 of 1994 was disposed of on 02.11.2016 nearly after two decades and the RCA.No.52 of 2017 is also pending from 05.09.2017, in my considered opinion, ends of justice would be met if RCA.No.52 of 2017 is directed to be disposed of within a time frame. Accordingly, a direction is issued to the learned Principal Subordinate Judge/Rent Control Appellate Authority, Trichirappalli, to dispose of RCA.No.52 of 2017 within a period of six months from the date of receipt of a copy of this order.

With the above direction, this Civil Revision Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar (CS)

To
The Principal Subordinate Judge,
Rent Control Appellate Authority,
Trichirappalli.

Copy to:

1. The Section Officer, -2 copies
V.R. Section, Madruai Bench of Madras High Court,
Madurai.

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

+1 cc to Mr. A.S. Vijayaragavan , Advocate SR.No.70527
+1 cc to Mr. R. Sundar Srinivasan, Advocate SR.No.70225

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