



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2019

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

C.R.P (MD)No.1398 of 2019

S.N.Annachathiram

rep. by its Trustees

1)Mr.N.N.S.S.Rm.P.Nachiappa Chettiar

2)N.K.S.M.N.Muthiah Chettiar

.. Petitioners/
Landlord

Vs.

V.Govindaraj (died)

1.Kokila Govindaraj

2.G.Janakiraman

3.G.Sivaraman

4.G.Murthy

5.G.Thulasi

.. Respondents/
Tenants

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India praying to direct the Rent Controller cum District Munsif, Thiruvaiyaru to expedite the hearing in E.P.No.28 of 2016 in R.C.O.P.No.7 of 2002 on its file and dispose of the same within the time frame fixed.

For petitioners : Mr.R.Sundar Srinivasan

ORDER

This civil revision petition has been filed by the petitioners / landlord seeking for a direction to the Rent Controller cum District Munsif, Thiruvaiyaru to dispose of the Execution Petition in E.P.No.28 of 2016 in R.C.O.P.No.7 of 2002 within a stipulated time.

2.According to the petitioners / landlord, they filed R.C.O.P.No.7 of 2002 on the ground of own use and occupation. The Court below allowed the same, which was also confirmed by the Rent



Control Appellate Authority. To execute the said decree, the petitioners / landlord have filed E.P.No.28 of 2016. The grievance of the petitioners is that though the execution petition has been filed in the year 2016, the same has been adjourned on several occasions without any valid reason and therefore, they have filed this revision petition seeking a direction for early disposal of E.P.No.28 of 2016.

3.Heard the learned counsel for the petitioners / landlord. In view of the limited relief sought for by the petitioners / landlord and also considering the fact that the disposal of the execution petition would not cause any prejudice to the respondents / tenants, this Court is of the view that notice need not be sent to the respondents / tenants.

4.Considering fact that E.P.No.28 of 2016 has been pending from 2016 onwards and also considering the submission of the learned counsel appearing for the petitioners / landlord, this Court, is inclined to direct the Court below to dispose of E.P.No.28 of 2016 in R.C.O.P.No.7 of 2002 on merits and in accordance with law as early as possible, preferably within a period of twelve weeks from the date of receipt of a copy of this order. Both the parties are directed to cooperate with the Court below for early disposal of E.P.No.28 of 2016.

5.Accordingly, this Civil Revision Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar(CS)

smn

To

1.The Rent Controller cum District Munsif,
Thiruvaiyaru.

2.The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.(2 COPIES)

+1 CC to M/s.R.SUNDAR SRINIVASAN, Advocate (SR-82063[F] dated 16/08/2019)

ORDER MADE IN
C.R.P (MD) No.1398 of 2019
16.08.2019

SMN

KK/SAR/04.09.2019/2P-5C/
<https://hcservices.ecourts.gov.in/hcservices/>