



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE: 03.10.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

C.R.P. (PD) (MD) .No.1760 of 2019

1.Thirumaran C.Devar
2.Natarajan

... Petitioners/Defendants

-Vs-

S.Rajendran

... Respondent/Plaintiff

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India praying for speedy disposal of the original suit in O.S.No.521 of 2019 on the file of III Additional District Munsif, Tiruchirapalli.

For Petitioners : M/s.T.Banumathy

O R D E R

The civil revision petition has been filed for a direction to the learned III Additional District Munsif, Tiruchirapalli to dispose of the suit in O.S.No.521 of 2019.

2. It is the contention of the revision petitioners that the above suit has been filed by the tenant, after the expiry of the lease period and delayed the eviction process. The revision petitioners contended that though the suit was filed in the month of July 2019, the same has not been disposed of till date, due to the reason that the plaintiff has drag on the proceedings and keep the property in his possession in a manner not known to law.

3. The suit was filed by the respondent herein for permanent injunction restraining the defendants/revision petitioners from interfering with the peaceful possession and enjoyment or in any other manner in order to evict the plaintiff/respondent in the suit property, except due process of law.

4. The learned counsel appearing for the revision petitioners would submit that they are not going to take any action either by themselves or in any other manner and as claimed by the respondent/plaintiff, to evict him unless and otherwise by due process of law. The learned counsel for the revision petitioners



would further submit that by recording the undertaking, issue appropriate direction to the trial Court to dispose of the suit within a time fixed by this Court.

5. Considering the submissions of the learned counsel for the revision petitioners, while recording the submission of the learned counsel for the revision petitioners that the revision petitioners shall not evict the respondent/ plaintiff unless and otherwise by due process of law, this Court, directs the revision petitioners to file an undertaking affidavit before the learned III Additional District Munsif, Tiruchirapalli and the learned III Additional District Munsif, Tiruchirapalli shall dispose of the suit in O.S.No.521 of 2019, based on the undertaking affidavit filed by the revision petitioners. Since the revision petitioners themselves have consented not to take any action unless and otherwise by due process of law, there is no impediment for the Court below to record the said undertaking affidavit and pass orders within a period of two months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(Writs)

/TRUE COPY/

Sub Assistant Registrar

akv

To

The III Additional District Munsif,
Tiruchirapalli.

+1 CC to M/s.T.BANUMATHY, Advocate (SR-91317[F] dated 04/10/2019)

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JM/30.10.2019/2P/3C