

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Transfer C.M.P.No.64 of 2020 and
C.M.P. Nos.2117 and 2125 of 2020

Sri Ranganatha Industries
Partnership Rep by its
Managing Partner
Mr.Rajagopalan
S/o.P.S.Ramanujachari
No.10, West Club Road
Senoy Nagar
Chennai - 600 030

...Petitioner

vs.

M/s.Automotive and Industrial Seals
Private Limited
Registered Office at
No.81-A, Trichy Main Road
Ramalinga Madalayam Upstairs, Gugai
Salem - 636 006

and also at

M/s.Automotive and Industrial Seals
Private Limited
No.206, SIDCO Industrial Estate
Ambattur
Chennai - 600 098

...Respondents

Tr.C.M.P. filed under Section 24 of C.P.C., to withdraw
R.C.O.P. No.45 of 2018 on the file of District Munsif-cum-Rent
Control Authority, Ambattur and to transfer the same to any
other competent court at Small Causes Court, Chennai.

For Petitioner : Mr.V.Bhiman
for Mr.A.Ilayaperumal

For Respondent : Mr.Stalin

O R D E R

This petition has been filed to withdraw R.C.O.P. No.45
of 2018 from the file of District Munsif-cum-Rent Control
Authority, Ambattur and transfer the same to any other
competent court at Small Causes Court, Chennai.

2. It is represented by the learned counsel appearing for the respondent that the entire amount of rent has already been paid, which has been refuted by the learned counsel appearing for the petitioner.

3. Admittedly, there is no need to transfer the rent control proceedings from the file of District Munsif-cum-Rent Control Authority, Ambattur, to any other court, as the rent proceedings can go ahead in the same court. Though in view of the latest enactment, the tenant has no right to continue to occupy the premises and once it is asked by the owner, the same has to be handed over to the owner.

4. In the present case on hand, the only grievance of the petitioner is that the amount has not been paid by the tenant, namely the respondent, to the landlord. This court does not want to delve in to the merits of the matter, as this court has already fixed a time limit to go ahead with the matter and conclude it, this court only directs that the trial may go on day to day basis, without adjourning the matter beyond two working days, to bring the issue to a logical end. The observations made in the matter touching the merits of the case is only for the disposal of the present transfer civil miscellaneous petition.

5. In case the Presiding Officer is not available, nothing prevents the Presiding Officer (in-charge) to take up the matter and decide the same. Once the regular Presiding Officer is appointed, he has to continue from the stage where the Presiding Officer (in-charge) has dealt with the matter.

6. With the above observation, the Transfer Civil Miscellaneous Petition is Disposed of. No costs. Consequently, the connected civil miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar

(Asr)

To :

1.The District Munsif-cum-Rent Control Authority, Ambattur

2. The Judge, Small Causes Court, Chennai

+lcc to Mr.A.Ilayaperumal, Advocate SR.No.14101

+lcc to Mr.Stalin, Advocate SR.No.14070

Tr.C.M.P.No.64 of 2020 and
C.M.P. Nos.2117 and 2125 of 2020

VGII(CO)
GMY(22/05/2020)



WEB COPY