

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 11.03.2020

Coram

The Honourable Mr.Justice D.KRISHNAKUMAR

C.R.P(PD)No.772 of 2020

1.Mr.S.Sekar
2.Mr.S.Kumar
3.Mr.S.Manogar
4.Mr.S.Anbarasu

...Petitioners

Versus

M/s.Vasantha Bhavan Hotels India Private Ltd.,
Rep. by its Chairman Mr.M.Ravi
S/o.M.Muthukrishnan
Aged about 53 years,
Having office at No.34,
South Phase Developed Plot,
Industrial Estate, Guindy,
Chennai - 600 032.

...Respondent

This Civil Revision Petition is filed under Article 227 of the Constitution of India praying to direct the Principal District Munsif Court at Alandur to decide the R.C.O.P.No.29 of 2018 and dispose of the same within such time frame as may be fixed by this Court.

For Petitioners : Mr.M.Thangadurai

For Respondent : Mr.A.Vivekanandhan

ORDER

The relief sought for in the present Civil Revision Petition is to direct the Principal District Munsif Court, Alandur to dispose of the Rent Control Original Petition filed by the petitioners in R.C.O.P.No.29 of 2018.

2. The case of the petitioners is that the respondent has occupied the property under the petitioners as a tenant for non-residential purpose to run Hotel business under the name and style of "VASANTHA BHAVAN HOTEL" in the said property. The said tenancy is a monthly tenancy and the same has been created between the respondent and petitioners under Tenancy Agreement with effect from 11.06.2009 for a consecutive period upto 9 years. The petitioners let out their property only for limited period up to 10.06.2018 on a specific condition that the respondent should vacate the property as and when the petitioners demand the same before 10.06.2018, for which the respondent also agreed.

3. While so, the petitioners have decided to partition the property among them and to start their separate business as per the family arrangement. Therefore, they repeatedly demanded the respondent to quit and deliver the vacant possession of the premises, however, the respondent did not vacate the premises even after the repeated demands made by the petitioners. Hence, the petitioners filed a Rent Control Original Petition in R.C.O.P.No.29 of 2108 for the following reliefs:

- (i) directing the respondent to vacate and surrender the vacant possession of the schedule of property to the petitioner.
- (ii) directing the respondent to pay the cost of the petition.

While the said R.C.O.P. is pending on the file of the Principal District Munsif, Alandur, the petitioners have filed the present Civil Revision Petition before this Court. सत्यमेव जयते

4. The respondent filed the counter affidavit in R.C.O.P.No.29 of 2018, wherein, they denied the averments made by the petitioners.

5. Heard the learned counsel on both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, this Court is inclined to grant the relief as prayed for by the petitioners in the present Civil Revision Petition.

7. Accordingly, this Civil Revision Petition is allowed and the learned Principal District Munsif, Alandur is directed to dispose of R.C.O.P.No.29 of 2018 as expeditiously as possible within a period of eight weeks from the date of receipt of a copy of this order. No costs.

mrr

11.03.2020

Index : Yes/No

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To

The Principal District Munsif,
Alandur.



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D.KRISHNAKUMAR, J.,

mrr



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