

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2020

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

CRP.No.1062 of 2020

T.Sankaralingam
Rep by his Power Agent
Mr.B.Sudhakar

..Petitioner

/Vs/

Mrs. Shanthakumari Palaniappan

...Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India for speedy disposal of the pending Rent Control Appeal Case in R.C.A.No.832 of 2017 pending before the IX Small Causes Judge/Rent Control Appellate Tribunal, Chennai against the order passed in RCOP.No.489 of 2012 order dated 26.11.2017 by the XVI Small Causes Judge/Rent Controller, Chennai.

For Petitioner : Mr.B.Gandhi

O R D E R

This Civil Revision Petition has been filed by the petitioner seeking to speedy disposal of R.C.A.No.832 of 2017 pending before the learned IX Small Causes Judge/Rent Control Appellate Tribunal, Chennai, against the order passed in RCOP.No.489 of 2012, dated 26.11.2017 by the XVI Small Causes Judge/Rent Controller, Chennai.

2. The respondent is the sister of petitioner who is the tenant to the petition mentioned property as per the Rental Agreement dated 01.06.2009. As per the rental agreement, the respondent has to pay Rs.10,000/- [Rupees Ten Thousand Only] per month as a rent from 01.06.2009 and she paid an advance amount of Rs.1,00,000/- [Rupees One Lakh Only] at the time of inception of the tenancy on the basis of 11 months period and now the respondent is still in possession of the petition mentioned property. The petitioner further stated that since from the inception of tenancy the respondent has not paid any rental amount to the petitioner herein. Following this, the petitioner/landlord has filed RCOP.No.489 of 2012 to vacate from the petition premises against the respondent/tenant on the ground of willful default before the XVI Court of Small Causes, Chennai, and the eviction was ordered by the Court below on 28.11.2017 by directing the respondent/tenant to vacate the petition premises within a period of two months. Challenging

the aforesaid order, the respondent herein has preferred an appeal in RCA.No.832 of 2017 before the IX Court of Small Causes, Chennai and subsequently, the appellant was filed the written argument on 14.11.2018, and oral argument was submitted on 07.01.2019, again the case was posted for judgment on 22.10.2019. However, the respondent intends to drag on the proceedings in this case. Hence, the petitioner has come forward with the present revision before this Court.

3. Taking note of the aforesaid submissions made by the learned counsel for the petitioner as well as on perusal of the petition order in the Rent Control Appeal, this Court is inclined to direct the Rent Controller to dispose of the aforesaid RCA.No.832 of 2017 pending before the learned IX Small Causes Judge/Rent Control Appellate Tribunal, Chennai, as expeditiously as possible within a period of twelve weeks (12) from the date of receipt of a copy of this order.

4. Accordingly, the Civil Revision Petition is disposed of. No costs.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

msm

To

1.The IX Judge, Small Causes Court,
Rent Control Appellate Tribunal
Chennai

2.The XVI Judge Small Causes Court,
Rent controller Chennai

CRP.No.1062 of 2020

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