

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2020

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

C.R.P.(NPD)No.2469 of 2018

and

C.M.P.Nos.15174 of 2018 & 20342 of 2019

1. Malarvizhi
2. Pavai
3. Thamizarasi
4. Thenmozhi
5. Kalyani
6. Mohan

... Petitioners

Vs.

1. Selvam Ammal
2. Sundaram Muthaliar

... Respondents

PRAYER : Civil Revision Petition filed under article 227 of the Constitution of India against the order passed in I.A.No.1 of 2018 in R.C.A.No.1 of 2018 dated 16.07.2018 on the file of the (Rent Controller Appellate Authority, Vellore) Principal Subordinate Court, Vellore in RCOP No.33 of 2009 on the file of the Rent Controller/Principal District Munsif, Vellore.

For Petitioners : Mr. K.Mohanamurali

For Respondents : Mr.A.Rajesh Kanna

ORDER

This Civil Revision Petition has been filed against the order of dismissing the petitioners' application to stay of the operation of the order of eviction passed by the Rent Control Appellate Authority, Vellore.

2. The petitioners are the tenants and the first respondent is the landlady. The first respondent filed a Petition seeking an order of eviction, which was allowed. Challenging the same, the petitioners filed an appeal in RCA No.1 of 2018 on the file of Principal Sub Court, Vellore. Pending the said RCA, the petitioners filed an application in CMP No.1 of 2018 praying to stay the order of eviction. The said application came to be dismissed on the ground of irregular payment of rent. Aggrieved against the order of the Rent Control Appellate Authority, the present Civil Revision is filed.

3. The learned counsel for the petitioners submits that after filing this revision, the petitioners are regularly paying the rent and there is no default as regards the payment of rent till today. He further submitted that since the landlady filed an Execution Petition in EP No.125 of 2017 for delivery of possession against the petitioners, the Rent Control Appellate Authority may be directed to dispose of the RCA within a time frame to be fixed by this Court.

4. The learned counsel for the respondent has no objection for allowing this petition.

5. Considering the limited prayer now sought for by the learned counsel for the petitioners, without going into the merits of the case, the Rent Control Appellate Authority / Sub Court, Vellore, is directed to dispose of the appeal in RCA.No.1 of 2018 pending on his file, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this

order. Till the disposal of the said RCA, the petitioners are directed to continue to pay the rent without any default.

6. Accordingly, the Civil Revision Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

21.01.2020

Index:Yes/No
Internet:Yes
Speaking/Non-speaking order
av

To

- 1.The Principal Sub Court, Vellore.
- 2.The Principal District Munsif Court, Vellore.

C.R.P.(NPD)No.2469 of 2018

V.BHARATHIDASAN, J.

av

C.R.P.(NPD)No.2469 of 2018

21.01.2020