



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

C.R.P (MD)No.1733 of 2014

WEB COPY

Kulanthaivel (died)

1.K.Gopu

2.K.Ramu @ K.Ramasamy

... Revision Petitioners/Landlords

Vs.

1.Jaithoon Bivi

.... Respondent/Tenant

2.P.Haja Mohideen alias P.H.Mohideen

3.Ravichandran

... Respondents/Respondents

Prayer: Civil Revision petition filed under Article 227 of the Constitution of India to dispose of the E.P.No.227 of 2006 in R.C.O.P.No.66 of 1983 pending before the Rent Controller, Kumbakonam within a time frame that may be fixed by this Court.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : No appearance

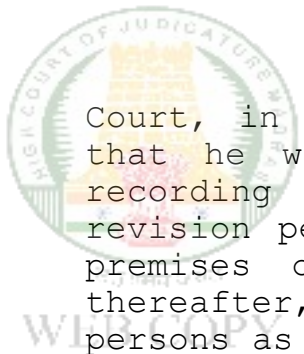
ORDER

This civil revision petition has been filed by the landlords/petitioners in E.P.No.227 of 2006 in R.C.O.P.No.66 of 1983 on the file of the Rent Controller, Kumbakonam to direct the learned Rent Controller to dispose of E.P.No.227 of 2006 within a time frame that may be fixed by this Court.

2.Though notice was served on the respondents 1 & 2 and their names were also printed in the cause-list, they have not appeared either in person or through counsel. The court notice, which was sent to R-3 returned as "no residence".

3.Considering the fact that the present civil revision petition is pending for the past 6 years and also the prayer made in this civil revision petition, this Court is of the view that if notice to R-3 is not served, that would not cause any prejudice to R-3.

4.The learned counsel for the petitioners has submitted that even though the petitioners have filed R.C.O.P in the year 1983 for eviction and an eviction order was passed on 18.08.1992 and as against the same, an appeal in R.C.A.No.5 of 1993 was filed and the same was dismissed on 21.03.2000 and as against the same, the second respondent herein has filed C.R.P.(NPD).No.1733 of 2003 before this



Court, in which, the second respondent herein gave an undertaking that he would vacate the premises on or before 31.01.2006 and recording the same, this Court has disposed of the said civil revision petition on 29.08.2005 directing the tenant to vacate the premises on or before 31.01.2006. He further submitted that thereafter, the second respondent herein has inducted some other persons as sub-tenants and thereafter, the second respondent did not hand over the possession and hence, the petitioners forced to file EP and during the pendency of the said E.P, some third parties have filed applications and virtually preventing the petitioners from taking possession of the premises and hence, he requested to direct the learned Rent Controller to dispose of the aforesaid EP at early.

5.Considering the aforesaid submissions of the learned counsel for the petitioners, the learned Rent Controller, Kumbakonam is directed to dispose of E.P.No.227 of 2006 in R.C.O.P.No.66 of 1983 as early as possible, without giving unnecessary adjournments.

6.With the aforesaid direction, this civil revision petition is disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

VS

Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

The Rent Controller,
Kumbakonam.

C.R.P (MD) No.1733 of 2014

11.09.2020

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