

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 09.02.2021

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

C.R.P. (PD) No.176 of 2021

1.Mrs.K.Deepadevi

2.Mrs.Rathnadevi

...Petitioners/
Decree Holder/ Petitioner

Vs

Mr.Satish

...Respondent/
Judgment Debtor/Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to direct the learned Principal District Munsif Cum Judicial Magistrate, Valapadi, Salem District to dispose of the R.E.P.No.8 of 2019 in R.C.O.P.No.55 of 2011 within a time frame.

For Petitioners: Mr.B.Sundarapandiyan

O R D E R

The limited prayer sought for in the present petition is to dispose of the R.E.P.No.8 of 2019 in R.C.O.P.55 of 2011 within the stipulated time.

2. The learned counsel for petitioners would submit that the respondent tenant is purposefully dragging on the proceedings for the past 10 years and frequent number of adjournments were given. He would further state that the Court below ought to have noted that the periodical adjournments granted without any valid reasons is contrary to the provision of Order XVII Rule 1 of C.P.C. Hence, the learned counsel for the petitioners prays that a direction may be issued by this Court for speedy disposal of R.E.P.No.8 of 2019 in R.C.O.P.No.55 of 2011.

3. Heard the learned counsel for the petitioner and perused the materials available on record.

4. On a perusal of the adjudication order, it is seen that the dispute is between landlord and tenant. On 24.03.2020, the Nationwide Lockdown was announced all over the World, due to

which, the Court below could not dispose of the case. Hence, this Court is of the view that if the petitioner is directed to approach the Court below for earlier disposal and a consequent direction to Court below to dispose of the case, the ends of justice could be secured.

5. In the light of the above observation, the learned Principal District Munsif Cum Judicial Magistrate, Valapadi, Salem District is directed to dispose of the R.E.P.No.8 of 2019 in R.C.O.P.No.55 of 2011, within a period of two months from the date of receipt of copy of this Court. The parties herein are also directed to co-operate with the said proceedings without taking any unnecessary adjournment.

6. In view of the above direction, the Civil Revision Petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sbn

To

The District Munsif Cum Judicial Magistrate,
Valapadi, Salem District.

+1 cc to M/s.B.Sundarapandiyan, Advocate Sr.No. 7265

AAB (CO)
RMP (23/03/2021)

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