

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

C.R.P. (PD) Nos.1364, 1366 and 1367 of 2021

Malliga

Petitioner
[in both CRPs]

versus

1.A.Abdul
2.Thilshad Begam

Respondents
[in both CRPs]

COMMON PRAYER: Civil Revision Petitions have been filed under Article 227 of the Constitution of India, to direct the learned District Munsif / Rent Controller at Udhagamandalam to dispose off the petitions in E.P.R.No.25 of 2019, I.A.No.2 of 2020 and I.A.No.1 of 2020 in R.C.O.P.No.8 of 2017 on its file, respectively, within the time limit to be stipulated by this Court.

For Petitioner
[in both CRPs]

: Mr.S.Senthilkumar

COMMON ORDER

C.R.P.No.1364 of 2021 is filed seeking direction to the learned District Munsif / Rent Controller, Udhagamandalam, to dispose of E.P.R.No.25 of 2019 in R.C.O.P.No.8 of 2017, within the time limit to be stipulated by this Court.

2. C.R.P. Nos.1366 and 1367 of 2021 have been filed seeking direction to the learned District Munsif / Rent Controller, Udhagamandalam, to dispose of I.A.Nos.1 and 2 of 2020 respectively in R.C.O.P.No.8 of 2017, within the time limit to be fixed by this Court.

3. The learned counsel for the petitioner submitted that, the Rent Control Original Petition was filed on the ground of wilful default in paying the rents. The eviction order was passed on 27.08.2018. The petitioner filed E.P.R.No.25 of 2019, seeking delivery of the property. Meanwhile, the respondents filed application in I.A.No.1 of 2020 under Section 5 of the Limitation Act, for condoning the delay of 99 days in filing the petition to set aside the *ex parte* order passed in R.C.O.P.No.8 of 2017

and the application in I.A.No.2 of 2020 is filed to set aside the *ex parte* order passed on 27.08.2018. These applications are pending, without any progress. Therefore, the present Civil Revision Petitions are filed seeking direction for disposal of these petitions, within the time to be stipulated by this Court.

4. It is seen that the eviction order was passed on 27.08.2018 and the Execution Petition was filed and it is pending. Meanwhile, the respondents filed applications to set aside the *ex parte* order passed in the Eviction Petition, alongwith the application to condone the delay.

5. Considering the fact that, the scope of these Interlocutory Applications in I.A.Nos.1 of 2020 and 2 of 2020 are limited, the learned District Munsif, Udhagamandalam, is directed to dispose of these applications, as expeditiously as possible, preferably, within a period of two (2) months from the date of receipt of a copy of this order. Depending upon the outcome of the orders passed in I.A.Nos.1 and 2 of 2020, the learned

District Munsif, Udhagamandalam, is directed to pass orders in E.P.R.No.25 of 2019 in R.C.O.P.No.8 of 2017.

6. Accordingly, these Civil Revision Petitions are disposed of. However, there is no order as to costs.

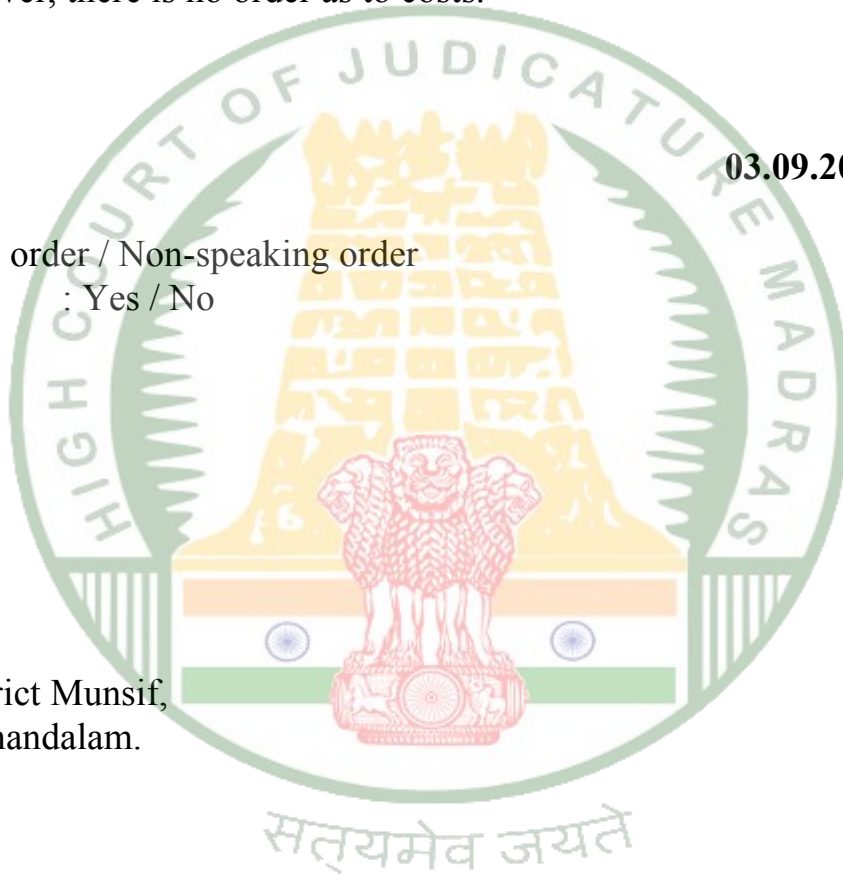
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Speaking order / Non-speaking order
Index : Yes / No

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To

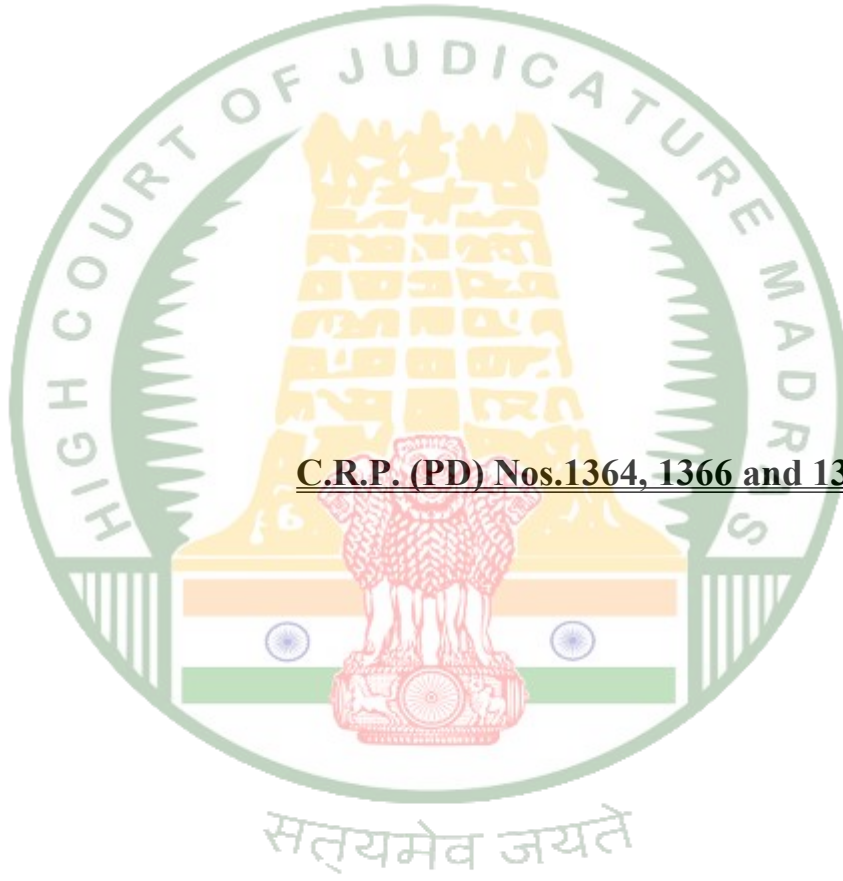
The District Munsif,
Udhagamandalam.



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G.CHANDRASEKHARAN, J.

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