

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2021

CORAM :

THE HON'BLE MR.JUSTICE G.CHANDRASEKHARAN

C.R.P.No.1243 of 2021

1.Mr.Sasikumar

2.Mrs.Deepa Kuchelan

... Petitioners

Vs

1.Mrs.Suganthi

2.M/s.Swamy Electronics,
represented by its Proprietor Mr.Swamy

3.M/s.Suganthi Enterprises,
represented by its Authorised Signatory,
Mrs.Suganthi

4.M/s.Clement International,
represented by Mr.Sudarsan
Respondents

...

PRAYER : Civil Revision Petition filed under Article 227 of Constitution of India praying to direct the Learned District Munsif Court, Tambaram/Rent Controller to dispose the M.P.No.16 of 2017 in R.C.O.P.No.5 of 2015 within the time line that may be fixed by this Court.

For Petitioners : Mr.Prassana Venkat for
M/s.APR Associates.

For Respondents : No representation for R1 to R4.

ORDER

This Petition has been filed seeking direction for disposal of M.P.No.16 of 2017 in R.C.O.P.No.5 of 2015 on the file of District Munsif Court, Tambaram within a time line that may be fixed by this Court.

2.The Learned Counsel for the Petitioners submitted that M.P.No.16 of 2017 was filed by the Respondents for stay of the proceedings in R.C.O.P.No.5 of 2015 which was filed by the Petitioners on the ground of willful default. It is further submitted that this Petition is pending from the year 2015 and the Respondents have filed the above said stay Petition for unnecessarily protracting the disposal of the R.C.O.P.No.5 of 2015. Therefore, the Learned Counsel for the Petitioners prays for a direction to the Learned District Munsif, Tambaram for disposal of the R.C.O.P.No.5 of 2015 within a time line that may be fixed by this Court.

3.It is seen from the records that when this matter came up for hearing on 05.07.2021, this Court directed the Registry to call for a report from the District Munsif Court, Tambaram to intimate the time frame within which he / she proposes to dispose of the said M.P.No.16 of 2017.

Accordingly, the Learned District Munsif, Tambaram has also submitted a report stating that he would dispose of the said Petition within a period of one month.

4.Further, it is informed by the Learned Counsel for the Petitioners that orders have been reserved in the said stay Petition. He has also continued to submit and pray that the main Petition in R.C.O.P.No.5 of 2015 may be directed to be disposed within a time frame fixed by this Court. Though the Learned Counsel for the Respondents has entered appearance and his name has been printed, there is no representation for the Respondents. Since the scope of the Petition is limited, this Court has proceeded to dispose of this Petition.

5.Though the prayer is for disposal of M.P.No.16 of 2017 within a time frame, in view of the submission made by the Learned Counsel for the Petitioners that R.C.O.P.No.5 of 2015 has been filed in the year 2015 and because of the filing of the said stay Petition and non-cooperative attitude of the Respondents, the same is pending for the past five years and it comes under the category of five year old cases, this Court is inclined to

issue a direction to dispose of the R.C.O.P.No.5 of 2015. Moreover, Courts are expected to give priority for disposal of the old cases.

6. Therefore, the Learned District Munsif, Tambaram is directed to dispose of the R.C.O.P.No.5 of 2015 as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this Order.

7. Accordingly, this Civil Revision Petition is disposed of. No costs.

21
ay

20.09.20

Index: Yes/No
Internet: Yes/No

To

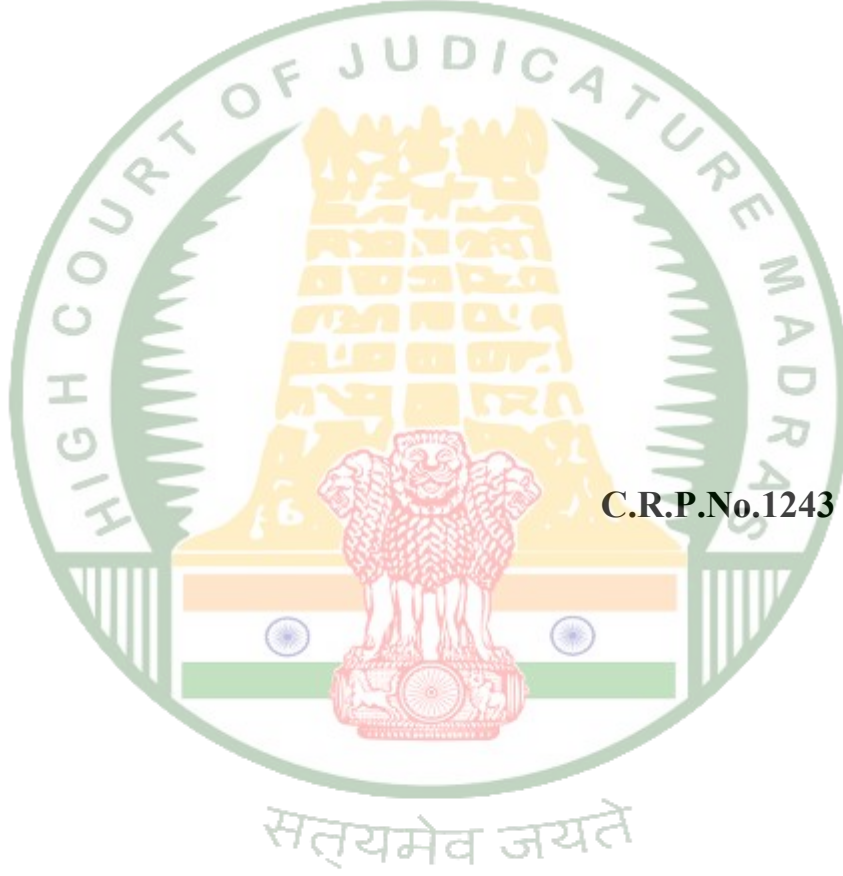
The District Munsif Court,
Tambaram.

WEB COPY

C.R.P.No.1243 of 2021

G.CHANDRASEKHARAN, J.

ay



C.R.P.No.1243 of 2021

WEB COPY

Dated: 20.09.2021