

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 23.03.2021

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

C.R.P.(PD)No.615 of 2021

A.Mohamed Ubaidullah
S/o.Abdul Rahman

...Petitioner/Revision Petitioner

Vs

1.A.G.Uvaiz
S/o.Abdul Gafoor,

2.Nazruniza Begum
W/o.Abdul Gafoor

...Respondents/Respondents

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to direct the learned Rent Controller, Villupuram for speedy disposal of the R.C.O.P.No.3 of 2018, on the file of the Principal District Munsif, Villupuram (Rent Controller).

For Petitioner : Mr.N.suresh

ORDER

The limited prayer sought for in this petition is for a direction to the trial Court to dispose of the R.C.O.P.No.3 of 2018, within the stipulated period.

2. The petitioner herein had filed the R.C.O.P.No.3 of 2018, seeking for the following relief:

(a) On order of Eviction against the respondents from the demised premises, and direct them to deliver vacant possession to the petitioner.

(b) Direct the respondents to pay the costs of the petition and

(c) To grant such other reliefs.

3. The learned counsel for the petitioner would submit that the Court below ought to have seen that the respondents are chronic defaulters and hence ought not to have given the respondents long rope to prolong the litigation. The Court below ought to have seen that the respondents had not paid the rent from August 2017 till this date at the rate of Rs.12,000/- per

month and as such, the court below ought to have disposed of the case and thereby direct the respondents to pay the rent. The learned trial judge is not correct in giving several adjournments in the main petition in R.C.O.P.No.3 of 2018. The continuous adjournment of the case causes great prejudice to the petitioner and as such, necessary orders ought to have been passed in the R.C.O.P. Hence, the learned counsel for the petitioner prays to allow this petition.

4. Heard the learned counsel for the petitioner and perused the materials place before this Court.

5. On a perusal of the adjudication orders, it is seen that in R.C.O.P.No.3 of 2018, summons were served and the counter affidavit has been filed by the first respondent in the year 2019 and then the matter was adjourned on several dates without much progress. The matter is now kept pending for enquiry from 12.12.2019 till date.

6. Taking into consideration the facts and circumstances of this case, this Court is of the view that if a direction is issued to the Court below to dispose the R.C.O.P.No.3 of 2018, the ends of justice could be secured.

7. Hence, there shall be a direction to the learned Principal District Munsif, Villupuram, to dispose of the R.C.O.P.No.3 of 2018, as expeditiously as possible.

8. Accordingly, the Civil Revision Petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

sbn

To
The Principal District Munsif, Villupuram.

+1 cc to Mr.N.Suresh, Advocate Sr No.18849

C.R.P. (PD) No.615 of 2021
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CA (CO)
RG.28.04.2021 (2p.3c)