

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2021

C O R A M

THE HON'BLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

C.R.P.(PD) No.722 & 723 of 2021

Mr. W.T. Venugopal ... Petitioner
(In Both petitions)

Vs.

1.M/s.Arul Groups Property Management & Arrangement
Services Company (Space 0 Space)
Represented by its Managing Director Mr. Arivu Nambi,
Having Office at No.9,
VGP Murphy Square, 1st Street,
GST Road, St. Thomas Mount, Chennai - 600 016. ...1st Respondent
(in Both Petitions)

2. Mr. L. Shanmugha Muthupandi, ...2nd Respondent
(in CRP No.722 of 2021)

3. Mr. G. Sri Raman ...2nd Respondents
(in CRP No.723 of 2021)

Common Prayer: These Civil Revision Petitions filed under Article 227 of the Constitution of India praying for to direct the early disposal of petition filed by the petitioner herein in RLTOP Nos.9 &10 of 2019 on the file of the Principal District Munsif Judge at Alandur.

For Petitioner ... Mr. S. Anuradha Balaji
For Respondents ... No Appearance
(In both Petitions)

ORDER

These Civil Revision Petitions under Article 227 of the Constitution of India have been filed praying for to direct the early disposal of petition filed by the petitioner herein in RLTOP Nos.9 &10 of 2019 on the file of the Principal District Munsif Judge at Alandur.

2. The case of the petitioner is that as the the petitioner herein has filed R.L.T.O.P. Nos.9 and 10 of 2019 on the file of the Principal District Munsif Judge, Alandur, seeking for to direct the respondents to vacate and hand over vacant possession of the petition premises on the ground of wilful default in payment of rent. As the case is being adjourned periodically without any valid reasons and the same is pending from the year 2019, the petitioner has filed the present Civil Revision petitions seeking for a direction to dispose of the case within a time frame fixed by this Court.

3. The learned counsel for the petitioner would submit that the said RLTOPs are pending for more than 16 months without any effective hearing and final disposal which will lead to prejudice in the interest of

the petitioner. The 1st respondent herein is avoiding the service of notice and not coming forward to contest the aforesaid RLTOPs filed by the petitioner. In delaying the proceedings, the 2nd respondents in both petitions will be enjoying the tenanted premises without payment of rent and thereby the right of the petitioner would be defeated. As the matter is being regularly adjourned without any effective hearing and the same is pending only for service of notice and filing of counter and other vexatious reasons, the Court below may be directed to dispose of the matter within a reasonable time frame as fixed by this Court.

4. Heard, the learned counsel for the petitioner as well as perused the material available on record.

5. It is realized from the docket orders of the Court below filed by the petitioner along with Typed set of papers, the RLTOP Nos.9 and 10 of 2019 are being adjourned from time to time for filing counter of Respondent 2 and issuing fresh notice to Respondent 1 in the respective petition. In the meanwhile, as the Lock down was announced due to pandemic, the case had been adjourned from 20.04.2020 to 27.08.2020.

V.BHAVANI SUBBAROYAN, J.,

lbm

Even the learned counsel for the 2nd respondent appeared before the Court below on 31.01.2020, counter has not been filed so far and fresh notice on the 1st Respondent has been ordered numerous times, despite 1st respondent vacated the address. Hence, the Court below is directed to order substituted service on the 1st respondent enabling to appear before it. After completing the service of notice, the Court below shall decide the matter as expeditiously as possible .

6. With the aforesaid direction, these Civil Revision petitions are disposed of. Consequently, connected miscellaneous petition is closed if any. There shall be no order as to costs.

सत्यमेव जयते

29.03.2021

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Index: Yes/No.

Speaking/Non-Speaking order

Internet: Yes/No.

To:

The Principal District Munsif Judge
Alandur.