

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2021

CORAM:

THE HONOURABLE Mr. JUSTICE G.CHANDRASEKHARAN

C.R.P. No.1632 of 2021

(Through Video Conference)

M.Ganeshan

.. Petitioner

Versus

1) K.Vijayanandhan

2) V.Vijayashri

.. Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to direct the Rent Controller Court, Principal District Munsif or incharge Judge, Coimbatore to hear and dispose of the I.A.No.377 of 2018 in R.C.O.P.No.211 of 2018 within the time frame fixed by this Court.

For Petitioner : Mr.S.Mukunth

O R D E R

This Civil Revision Petition is filed seeking direction to the the Rent Controller Court, Principal District Munsif or incharge Judge, Coimbatore to hear and dispose of I.A.No.377 of 2018 in R.C.O.P.No.211 of 2018 within the time frame fixed by this Court.

2. The learned counsel for the petitioner submitted that R.C.O.P.No.211 of 2018 was filed for eviction on the ground of willful default and for demolition and reconstruction. During the pendency of the main R.C.O.P. the petitioner filed I.A.No.377 of 2018 under Sections 10(2)(i) and 14(1)(b) of the Tamil Nadu Buildings (Lease and Rent Control) Act, 1960 for the reason that there was arrears of rent.

3. The respondents filed a counter in this petition and this petition was reserved for orders on 07.02.2020. Thereafter, it was posted for enquiry from 26.02.2020 till 24.03.2021. Therefore, the present petition seeking direction for the disposal of I.A. has been filed. The learned counsel also filed the diary extract in I.A.No.377 of 2018 for the perusal of this Court. Perusal of the diary extract shows that the petition was posted for orders on 07.02.2020. On 07.02.2020, order was not pronounced and reposted the matter on 26.02.2020. Then, on 26.02.2020, the Judge was on leave and the case was posted on 04.03.2020. Then, without an indication as to whether it has been reopened suo moto or at the instance of the party, the petition was posted for enquiry on 04.03.2020.

4. *Prima facie* it appears that the petition is pending without any reason. Therefore, the learned Rent Controller Court, Principal District Munsif or incharge Judge, Coimbatore is directed to dispose of the petition within a period of one month from the date of receipt of a copy of this order.

5. With the above direction, this Civil Revision Petition is ordered accordingly. No costs.

16.08.2021

Index: Yes/ No
Speaking Order / Non-Speaking Order

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To:

The Rent Controller Court,
Principal District Munsif or incharge Judge,
Coimbatore

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G.CHANDRASEKHARAN, J.,

sts



Order made in
C.R.P. No.1632 of 2021

WEB COPY

Dated:
16.08.2021