

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2021

CORAM :

THE HON'BLE MR.JUSTICE G.CHANDRASEKHARAN

C.R.P.No.2197 of 2021

Mrs.N.V.Maria Arokia Rani

... Petitioner

Vs

1.Mr.Maria Arokia Raj

2.Mrs.S.Sujatha

... Respondents

PRAYER : Civil Revision Petition filed under Article 227 of the Constitution of India praying to direct the Principal District Munsif Court at Alandur to dispose of the Execution Petition No.109 of 2016 in R.C.O.P.No.13 of 2015 within the time frame as may be fixed by this Court.

For Petitioner : Mr.G.RM.Palaniappan.

ORDER

This Petition is filed seeking for a direction to dispose the E.P.No.109 of 2016 in R.C.O.P.No.13 of 2015 pending on the file of Principal District Munsif Court, Alandur.

2.The Learned Counsel for the Petitioner submitted that the

Petitioner filed R.C.O.P.No.13 of 2015 under Sections 10 (3) (a) (i), 10 (2) (1) of the Tamil Nadu Buildings (Lease and Rent Control Act, 1960) and the exparte order of eviction was ordered on 10.08.2016. Then the Petitioner filed E.P.No.109 of 2016 and it is still pending. The First Respondent's wife filed obstruction Petition and it was allowed. Therefore, the Petitioner filed E.A.No.126 of 2019 for impleading her as Respondent in the Execution Petition. It is claimed that she ought to have been impleaded as Respondent in the R.C.O.P.No.13 of 2015. Her claim that she ought to have been impleaded in the R.C.O.P.No.13 of 2015 is not maintainable for the reason that her husband alone has entered into the tenancy agreement with the Petitioner.

3.Be that as it may, the Execution Petition is of the year 2016. It is almost five years and still the Execution Petition is pending. Therefore, the Learned Principal District Munsif, Alandur is directed to dispose the E.P.No.109 of 2016 in R.C.O.P.No.13 of 2015 as expeditiously as possible preferably within a period of two months from the date of receipt of a copy of this order.

4.Accordingly, this Civil Revision Petition is allowed. No costs.

08.10.2021

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Index: Yes/No

Internet: Yes/No

To

The Principal District Munsif,
Alandur.

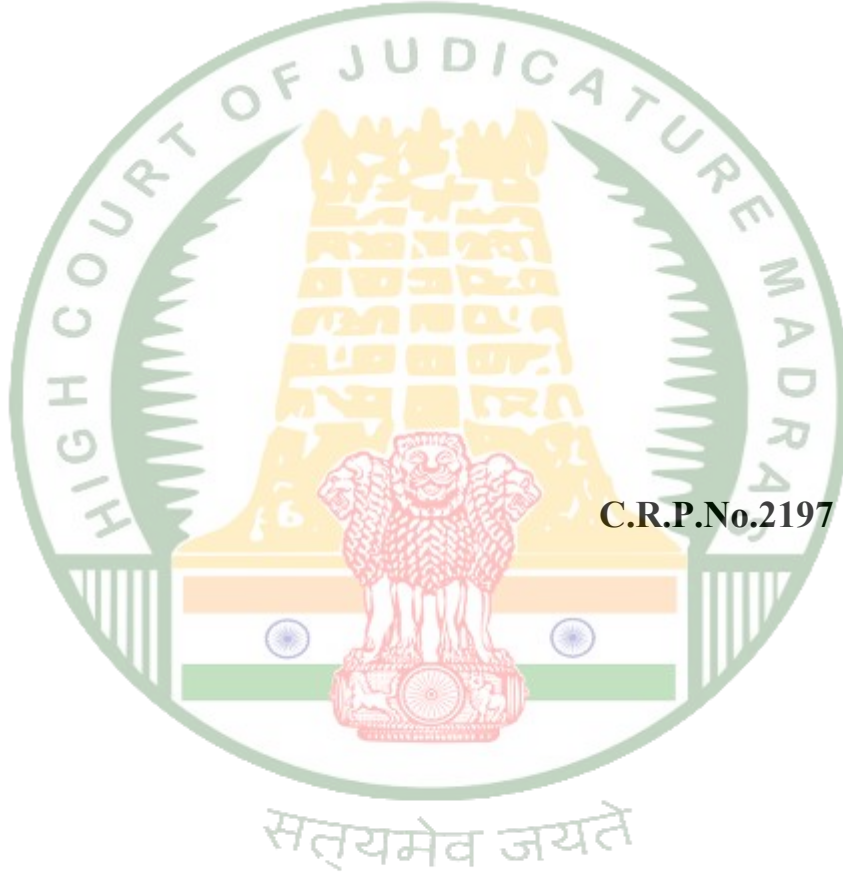


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G.CHANDRASEKHARAN, J.

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