

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.06.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

C.R.P.(PD) No.4252 of 2018
and C.M.P.No.23315 of 2018

Jayalakshmi

... Petitioner

Vs

S.Vijay

... Respondent

Prayer: Civil Revision Petition filed under Article 227 of Indian Constitution, against the docket order of the District Munsif Court, Ponneri in M.P.No.14 of 2018 in R.C.O.P.No.1 of 2018 dated 31.08.2018.

For Petitioner : Mr.A.Murali

For Respondent : Mr.S.Udaya Kumar

ORDER

The Civil Revision Petition is filed against the docket order of the District Munsif Court, Ponneri in M.P.No.14 of 2018 in R.C.O.P.No.1 of 2018 dated 31.08.2018, thereby ordering the notice.

2. The petitioner is the tenant and the respondent is the landlord. When the petitioner was in arrears of rent, the respondent attempted to evict the petitioner illegally. Therefore, the petitioner was constrained to file a suit in O.A.No.114 of 2018 seeking for injunction restraining the respondent from interfering with peaceful possession and enjoyment of the petition except by due process of law.

3. While pending the said suit, according to the petitioner, the respondent disconnected the electricity connection to the petition premises. Therefore, the petitioner filed the petition under Section 17(2) of the Tamil Nadu Lease and Rent Control Amendment Act to restore the basic amenities such as the electricity connection, toilet and water supply to the petition premises.

4. The learned Rent Controller, after numbering the petition, ordered notice to the respondent. Even then, the petitioner failed to file batta to issue notice to the respondent. Therefore, again on 06.09.2018, the learned Rent Controller ordered fresh notice, returnable by 12.10.2018. Aggrieved by the same, the present Civil Revision Petition has been filed.

5. The learned counsel for the respondent would submit that the petitioner has huge arrears of rent. Before filing the suit, she also failed to pay any electricity charges. Therefore, the Electricity Department disconnected the electricity connection for the petition premises and the petition premises is under lock and key. Thereafter, the respondent paid the arrears of electricity charges which was used by the petitioner herein to restored the electricity connection to the petition premises.

6. Considering the above submission, that while the Rent Controller ordered notice to the respondent, the petitioner did not even take any steps to issue notice to the respondent, this Court finds no infirmity or illegality in the orders passed by the Court below.

7. However, the learned Rent Controller is directed to dispose of the R.C.O.P.No.1 of 2018 within a period of **three months** from the date of receipt of a copy of this order.

8. Accordingly, this Civil Revision Petition is dismissed. Consequently, the connected miscellaneous petition is closed. No order as to costs.

29.06.2021

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
rna

To

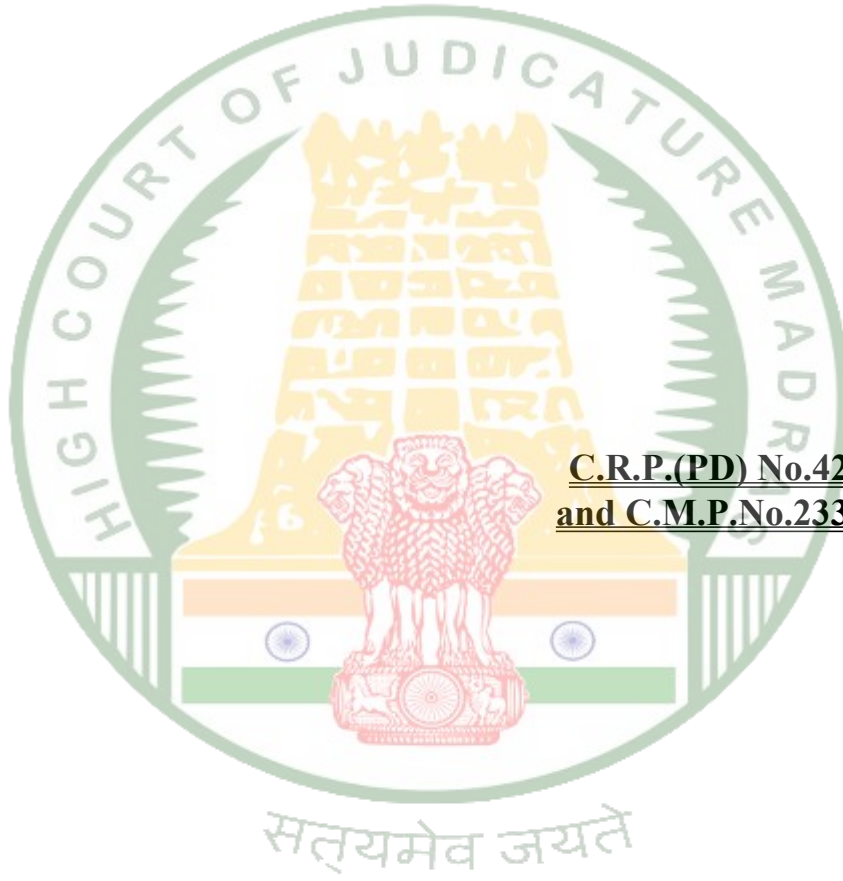
The District Munsif Court,
Ponneri.



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G.K.ILANTHIRAIYAN. J,

rna



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