



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2021

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (MD) Nos. 273 & 274 of 2021

V.P.C.Subramanian (Died)

V.P.C.Pitchai (Died)

1.P.Suresh Babu

2.P.Bala Prasath

... Petitioners in both CRPs.

Vs.

1Nagarajan

... Respondent in CRP.(MD)No.273 of 2021

2.Muthupandian

... Respondent in CRP.(MD)No.274 of 2021

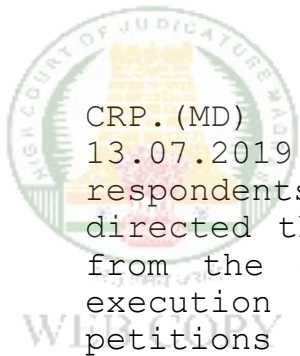
Common Prayer: Civil Revision Petitions filed under Article 227 of the Constitution of India, to direct the District Munsif of Madurai Town to dispose of the suit in E.P.Nos.79 & 78 of 2020 in R.C.O.P.Nos.23 & 42 of 2004 on its file within a time limit fixed by this Court.

For Petitioners : Mr.M.Rajaraman
(in both CRPs.)

COMMON ORDER

These civil revision petitions have been filed to direct the District Munsif of Madurai Town to dispose of the suit in E.P.Nos.79 & 78 of 2020 in R.C.O.P.Nos.23 & 42 of 2004 within the time frame.

2.The learned counsel for the petitioners submitted that the petitioner's predecessors namely V.P.C. Subramanian and V.P.C.Pitchai had originally filed eviction petitions in R.C.O.P.Nos. 23 & 42 of 2004 against the respondents herein before the District Munsif of Madurai Taluk to evict the respondents from the property where they are in possession as a tenant and the said eviction petitions were allowed on 22.01.2008. Aggrieved over the same, the respondents herein had preferred appeal in R.C.A.Nos.15 & 17 of 2008 before the Principal Subordinate Judge, Madurai and the same were allowed on 03.02.2010 reversing the decree of eviction. Hence, the petitioners preferred a revision before this Court in



CRP.(MD) Nos.1977 & 1978 of 2010 and the same were allowed on 13.07.2019 and this Court granted twelve weeks time to the respondents to vacate and handover the possession and further directed the respondents to pay the enhanced rent within one month from the date of the order. Thereafter, the petitioners filed execution applications in E.P.Nos.79 & 78 of 2020. The said petitions are periodically adjourned without any valid reasons and the respondents are adopting all sorts of tactics to drag on the proceedings. Hence, the petitioners have approached this Court by filing this Civil Revision Petition seeking a relief to dispose the E.P.Nos.79 & 78 of 2020 in R.C.O.P.Nos.23 & 42 of 2004 on the file of the District Munsif, Madurai Town, within a stipulated time as fixed by this Court.

3.Heard the learned counsel for the petitioners and perused the materials available on record.

4.Since these Civil Revision Petitions are filed for early disposal of the petitions in E.P.Nos.79 & 78 of 2020 in R.C.O.P.Nos.23 & 42 of 2004 and since no adverse order is going to be passed, notice to the respondents is not necessary.

5.Considering the facts and circumstances of the case, this Court feels that ends of justice would be met by directing the Court below to dispose of the case within a time frame. Without adverting to the merits of the case, a direction is issued to the District Munsif, Madurai Town to dispose the petitions in E.P. Nos.79 & 78 of 2020 in R.C.O.P.Nos.23 & 42 of 2004 on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. If the respondents evade notice, the learned Judge shall proceed in the manner known to law.

6.With the above direction, these Civil Revision Petitions are allowed. No costs.

Sd/
Assistant Registrar(AE)

/True copy/

/ /2021
Sub Assistant Registrar(CS-)

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1. The District Munsif, Madurai Town.
2. The Registrar (Judicial)
Madurai Bench of Madras High Court,
Madurai.

C.R.P. (MD) No. 273 & 274 of 2021
24.02.2021

gns
PK/09.03.2021 : 3P/3C