



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2021

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WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (MD)No.302 of 2021

S.Navaneethakrishnan

... Petitioner

Vs.

G.Karthik

... Respondent

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned Principal Subordinate Judge, Madurai to dispose of the application in I.A.No.1 of 2021 in R.C.A.No.24 of 2020 on its file within a time limit fixed by this Court.

For Petitioner : Mr.R.Parthiban

ORDER

This civil revision petition has been filed to direct the learned Principal Subordinate Judge, Madurai to dispose of the application in I.A.No.1 of 2021 in R.C.A.No.24 of 2020 within a time frame.

2.The learned counsel for the petitioner submitted that the petitioner herein is the owner of the property and the respondent herein is the tenant. However, the respondent did not pay the rent properly. Hence, the petitioner filed an eviction petition in R.C.O.P.No.192 of 2017 before the learned Principal District Munsif, Madurai Town and the same was ordered on 01.02.2020. Aggrieved over the same, the respondent herein filed an appeal in R.C.A.No.24 of 2020 and the petitioner herein filed an interlocutory application in I.A.No.1 of 2021 stating that the respondent herein is not entitled to contest the eviction appeal. The said petition is pending without any progress and the respondent herein is adopting all sorts of tactics to drag on the proceedings. Hence, the petitioner has approached this Court by filing this Civil Revision Petition seeking a relief to dispose the petition in I.A.No.1 of 2021 in R.C.A.No.24 of 2020 on the file of the Principal Subordinate Court, Madurai within a stipulated time as fixed by this Court.

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



4.Since this Civil Revision Petition is filed for early disposal of the petition in I.A.No.1 of 2021 in R.C.A.No.24 of 2020 and since no adverse order is going to be passed, notice to the respondent is not necessary.

5.Considering the facts and circumstances of the case and considering the age of the petitioner, 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 learned Principal Subordinate Judge, Madurai to dispose the petition in I.A.No.1 of 2021 in R.C.A.No.24 of 2020 on merits and in accordance with law, within a period of one month from the date of receipt of a copy of this order.

6.With the above direction, this Civil Revision Petition is allowed. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

GNS

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

The Principal Subordinate Judge,
Madurai.

Copy to:

The Registrar(Judicial),
Madurai Bench of Madras High Court,
Madurai.

**Order made in
C.R.P. (MD)No.302 of 2021
25.02.2021**

SVN(CO)

SRS (09/03/2021) 2P : 3C