



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.03.2021

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P (MD) .No.524 of 2021

P.Sakthi Vadivel

... Petitioner/ Petitioner/Landlord

Vs

Thirumalai

... Respondent /Respondent/Tenant

PRAYER :- This Civil Revision Petition has been filed under article 227 of Constitution of India, to direct the Additional District Munsif Court, Madurai Town to dispose the R.L.T.O.P.No.77 of 2020 within a time frame as fixed by this Court.

For petitioner : Mr.V.Sakthivel

ORDER

This Civil Revision Petition has been filed to direct the Additional District Munsif Court, Madurai Town to dispose the RLTOP.No.77 of 2020 within a time frame as fixed by this Court.

2.The learned counsel for the petitioner would submit that the petitioner is the landlord and the respondent is the tenant. They have entered into a rental agreement on 21.04.2018 and after expiry of the rental agreement, the respondent has not paid the monthly rent of Rs.8000/- regularly. Hence, the petitioner filed the petition in R.L.T.O.P.No.77 of 2020 under Section 21(2)(a) and 21(2)(b) of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Acts, 2017 on 24.07.2020 against the respondent to vacate and hand over the possession of the property to the petitioner herein without any let or hindrance and it is pending, where the respondent has entered appearance on 15.12.2020. The learned counsel would further submit that as per Section 36 (6) (a) and (b) of the new Act, an application filed under Section 21 (2)(a) and 21(2)(b) of Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Acts, 2017, shall be decided within 90 days from the date of filing of an application to the Rent Court. Even though the respondent has entered appearance on 15.12.2020, has got adjournment for filing counter without any reasons and without paying the rent also. The petitioner is a senior citizen, aged about 67 years and the respondent is purposely dragging on the proceedings. Hence, the present Civil Revision Petition is filed for speedy disposal of the petition.



3. Since this Civil Revision Petition is filed for early disposal of the petition in RLTOP No.77 of 2020, as no adverse order is going to be passed, notice to the respondent is dispensed with.

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4. Perusal of record shows that RLTOP.No.77 of 2020 has been filed under Section 21(2)(a) and 21(2)(b) of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Acts, 2017 against the respondent to vacate and hand over the possession of the property to the petitioner herein without any let or hindrance and as per the Act, any petition filed has to be completed within a period of 90 days from the date of filing of an application. Though RLTOP has been filed as early as on 24.07.2020, there is no progress for the last 7 months. Considering the facts and circumstances of the case and also 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 petition within a time frame. Without advertting to the merits of the case, a direction is issued to the learned Additional District Munsif, Madurai Town to dispose the petition in RLTOP.No.77 of 2020 on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

5. Accordingly, this Civil Revision Petition is disposed of. No costs.

Sd/-

ASSISTANT REGISTRAR (P & A)

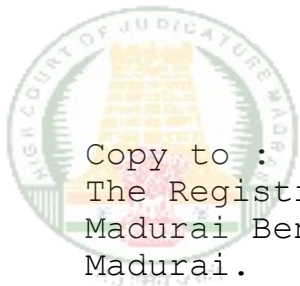
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/ /2021

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
The Additional District Munsif
Madurai Town.



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

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+1 CC to M/s. V.SAKTHIVEL, Advocate (SR-12523[F] dated 19/03/2021)

MSA (PA), KUN (CO)
SMN : 12/05/2021 : 3P/4C.

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