



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.03.2021

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P (MD) .No.608 of 2021

R.Prabu Palaniappan

... Applicant/Revision Petitioner

Vs

K.Muthukumar

... Respondent /Respondent

PRAYER:- This Civil Revision Petition has been filed under article 227 of Constitution of India, to direct the District Munsif Cum Judicial Magistrate, Thiruppattur to dispose the application in R.L.T.O.P.No.2 of 2020 within a time frame as fixed by this Court.

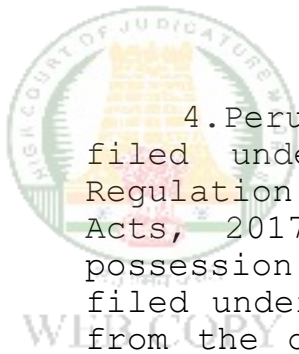
For petitioner : Mr.T.Pon Ramkumar

ORDER

This Civil Revision Petition has been filed to direct the District Munsif Cum Judicial Magistrate, Thiruppattur to dispose the RLTOP.No.2 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. The petitioner's vendor filed a suit in O.S.No.41 of 2014 before the District Munsif Cum Judicial Magistrate, Thiruppathur and the same was dismissed as withdrawn with liberty to file a fresh case for eviction under the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017. Thereafter, the petitioner filed R.L.T.O.P.No.2 of 2020 against the respondent for eviction. The learned counsel would further submit that since the building is in dilapidated condition, the Thiruppattur Selection Grade Panchayat has issued a notice under District Munsif Act to do repairs immediately otherwise action will be taken against the petitioner under Section 218 of the Tamil Nadu District Municipalities Act. The grievance of the petitioner is that as per Section 34(6) of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017, the application filed under Section 21(e)(f) of the Act, has to be disposed within 90 days from the date of filing of the application to the Rent Court. But till date, the said R.L.T.O.P was not disposed of 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.2 of 2020, as no adverse order is going to be passed, notice to the respondent is dispensed with.



4.Perusal of record shows that RLTOP.No.2 of 2020 has been filed under Section 21(2)(e) and 21(2)(f) 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 and any petition filed under the Act, 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 06.07.2020, there is no progress for the last 8 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 District Munsif Cum Judicial Magistrate at Thiruppattur to dispose the petition in RLTOP.No.2 of 2020 on merits and in accordance with law, within a period of two months 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 (CS-I)

// 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
The District Munsif Cum Judicial Magistrate
at Thiruppattur, Sivagangai district.

Copy to

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

+1 CC to M/s.T.PON RAMKUMAR, Advocate (SR-14755[F] dated 31/03/2021)

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KUN(CO)
KB(11.05.2021) 2P 4C

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