



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2021

CORAM:

THE HONOURABLE MRS.JUSTICE S.ANANTHI

C.R.P. (MD) .No.35 of 2019

C.M.P. (MD) .No.157 of 2019

1.Renugadevi

2.Balasakthi

... Petitioners/Petitioners/Respondents

vs.

Mohammed Yabudeen

... Respondent/Respondents/Petitioner

PRAYER : Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 17.09.2018 in IA.No.27 of 2018 in RCOP.No.17 of 2017 on the file of the Rent Controller, District Munsif Court, Ramanathapuram and allow the Civil Revision Petition.

For Petitioners :Mr.D.Senthil

For Respondent :Mr.M.Ajmal Khan, Senior Counsel
for M/s.Ajmal Associates

O R D E R

The petitioners have filed this revision petition to set aside the fair and decreetal order dated 17.09.2018 in IA.No.27 of 2018 in RCOP.No.17 of 2017 on the file of the Rent Controller, District Munsif Court, Ramanathapuram, which was filed for appointment of an Advocate Commissioner to prove the condition of the building.

2. It is the duty of the petitioners, who filed RCOP for eviction on the ground that the building is in debilitated condition, to prove the condition of the building. The respondent need not file any petition to note down the physical features of the property. Therefore, the Rent Controller, District Munsif Court, Ramanathapuram is right in dismissing IA.No.27 of 2018.

3. Since the Original Petition is pending from the year 2017, the learned Rent Controller, District Munsif Court, Ramanathapuram is directed to dispose the matter within a period of three months from the date of receipt of a copy of this order.



4. Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Rent Controller,
District Munsif Court,
Ramanathapuram

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-31049[F] dated 04/10/2021)

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PS (CO)
KB(22.10.2021) 2P 3C