



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.12.2021

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

C.R.P (MD)No.2100 of 2021

and

C.M.P(MD) No.11136 of 2021

R.Prabhakaran

... Petitioner/Respondent/Tenant

Vs.

K.Mujibur Rahman

... Respondent/Petitioner/
Land Lord

PRAYER:- Civil Revision Petition filed under Section 115 of the Code of Civil Procedure, to call for the records relating to the petition and order dated 15.12.2021 made in E.P.No.10 of 2020 in R.C.O.P.No.34 of 2017 on the file of the Additional District Munsif Court, Madurai Town, set aside the same and allow the civil revision petition.

For Petitioner : Mr.V.S.Kumaraguru

ORDER

This petition has been filed to set aside the order dated 15.12.2021 passed in E.P.No.10 of 2020 in RCOP No.34 of 2017 on the file of the Additional District Munsif, Madurai Town.

2.It is informed by the learned counsel for the petitioner that the next date of hearing of the appeal proceedings in R.C.A.No.13 of 2020 is on 31.01.2022. The learned counsel would submit that in the execution proceedings in E.P.No.10 of 2020, delivery order has been passed on 15.12.2021 and the same is posted on 12.01.2022.

3.Although this Court is not inclined to admit the revision, however, considering the fact that an appeal has been filed immediately and along with the appeal the petition for stay has also been moved, a direction is issued to the learned Principal Subordinate Judge, Madurai, to dispose of I.A.No.154 of 2021 on the next hearing i.e., 31.01.2022 and pass orders positively either way.

4. Further, considering the fact that the stay petition in I.A.No.154 of 2021 in RCA No.34 of 2017 is yet to be disposed of



either way by the learned Rent Control Appellate Authority (Principal Subordinate Judge), Madurai, there shall be an order of interim stay of delivery passed in E.P.No.10 of 2020, till 01.02.2022.

5. With the above direction, this Civil Revision Petition is disposed of. No cost.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cp

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 Additional District Munsif,
Madurai Town.
- 2.The Rent Control Appellate Authority,
(Principal Subordinate Judge)
Madurai.

+1 CC to M/s.V.S.KUMARAGURU, Advocate (SR-40283[F] dated 23/12/2021)

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KK (CO)

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