



C.R.P.No.3358 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2022

CORAM

THE HON'BLE MR. JUSTICE S.SOUNTHAR

C.R.P. No.3358 of 2022

Mohamed Siraj

... Petitioners /Petitioner/
Landlord

.Vs.

1. Mohammad Rahamuthullah

2. Mukhtar Ahmed Da

..Respondents/Respondents
Tenants

Prayer:- Civil Revision Petition filed under Article 227 of Constitution of India, to direct the Rent Court to dispose of R.L.T.O.P.No.400 of 2021 pending on the file of XVI Court of Small causes, Chennai (Rent Court), expeditiously.

For Petitioner : Mr.P.B.Ramanujam

ORDER

This Civil Revision petition is filed seeking for a direction to the Sub Court, Thiruvannamalai to dispose of the R.L.T.O.P.No.400 of



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2021 pending on the file of XVI Court of Small Causes, Chennai within a stipulated time.

2. Having regard to the limited prayer made in this revision, this Court is inclined to dispose of the Civil Revision petition even without notice to the respondent.

3. The petitioner herein filed a Rent Control Eviction petition against the respondent on various grounds which includes default in payment of arrears, failure to enter into agreement, default in payment of rent, mis-use of premises and sub-letting.

4. The learned counsel for the petitioner by drawing the attention of this Court to Section 36(b) of Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017, submitted that the eviction is sought for on the ground of mis-use of demised premises. The said petition shall be disposed of within 30 days from the date of filing of the petition. The perusal of the E-court entry filed in the typed set of papers would suggest that the arguments of the petitioner side in the main RLTOP



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was heard as early as April 2022 and thereafter, the matter has been adjourned for hearing respondent side arguments from time to time.

Ultimately on 14.07.2022, the arguments on the side of the respondent was closed with a liberty to file written arguments on or before 22.07.2022. Thereafter, the respondents herein filed two petitions viz., MP.No.2 of 2022 and MP No.3 of 2022 to reopen the case and recall DW1 for cross-examination. The said petition is still pending for passing orders. Though the time limit prescribed under Section 36(b) of the Act is only directory, every endeavour shall be made by the Rent Court to dispose of main OP filed on the ground mentioned therein as expeditiously as possible. In the case on hand, the argument of the petitioner side was heard as early as April 2022 and subsequently, the OP has been adjourned from time to time till July 2022. When the Court below closed the arguments of the respondent side and posted the matter for filing written arguments, the respondent has come up with the petition to re-open the case.

5. Considering the facts and circumstances, this Court is inclined to issue a direction to the Court below to dispose of the main OP for re-possession within a period of three months from the date of receipt of a



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copy of this order. This Civil Revision petition is accordingly disposed of.

No costs.

19.10.2022

rka

Internet

Index: Yes/No

Speaking Order: Yes/No

Note : Issue on 26.10.2022



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S.SOUNTHAR.J.,

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To

The XVI Court of Small causes, Chennai (Rent Court)

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