



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P. Nos.27543 & 27544 of 2021

and

WMP.Nos.29087 & 29089 of 2021

V.Ravi ...Petitioner in W.P.No.27543 of 2021

S.Pradeep ...Petitioner in W.P.No.27544 of 2021

vs.

1 The Rent Control Authority
Revenue Divisional officer,
Sub Collector,
Chennai-Soth Division,
Anna Salai, Guindy,
chennai 32.

2 T. Pounamma

3 T.Mohanasundari

4 Sai Prasad ...Respondents in both the Petitions

COMMON PRAYER:Writ Petitions filed under Article 226 of the Constitution of India, to issue an order or direction or Writ and in particular Writ in the nature of a Writ of Mandamus directing the 1st respondent to process the appeal dated 21.12.2020 filed by the petitioner before him take the same on file, hold enquiry as per the procedure contemplated.

For Petitioner : Mr. G.Sumithra (in both the petitions)

For Respondents : Mr.P.Gurunathan (in both the petitions)
Additional Government Pleader



COMMON ORDER

The petitions have been filed directing the 1st respondent to process the appeal dated 21.12.2020 filed by the petitioner before him, take the same on file, hold enquiry as per the procedure contemplated.

2. The case of the petitioners is that the petitioners had become tenant to the original land lord Thanikachalam in the year 2006 and they entered into an agreement and they have paid advance amount also. The petitioners have regularly paid the rent to the landlord for the shop. During the year 2015, the said Thanikachalam died. The legal heirs who are the respondents 2 to 4 herein, demanded to vacate the possession. Due to which, the petitioners filed a suit in O.S.No.1633 and 1634 of 2017 before the XVI Assistant City Civil Judge, Chennai to protect the petitioner's possession and the same was decreed in favour of the petitioners. Further, the petitioners also filed RCOP. Nos.1058 & 1059 of 2017 before the Rent Controller Authority, XVI Small Causes Judge, Chennai and the same were dismissed. Challenging the said order of dismissal, the petitioners filed RCA.Nos.13 & 14 of 2019 before the learned Judge, VI-Small Causes Court, Chennai and the same is pending. As against the decree of the suit, the respondents 2 to 4 filed an appeal before the learned III Additional City Civil Judge, Chennai and the same is also pending. In the meantime, the respondents 2 to 4 have demanded a huge amount as rent. Without having no other alternative remedy, the petitioners have filed the present writ petition before this Court seeking appropriate relief.

3. The learned counsel for the petitioners submitted that this court may issue a direction to the first respondent to consider the petitioners' appeal and pass appropriate order within the stipulated time as fixed by this Court.

4. Heard the learned counsel for the petitioner and the learned Addl. Government Pleader appearing on behalf of the first respondent and perused the materials available on record. No adverse order is passed against the respondents 2 to 4 and hence, their presence is dispensed with.

5. Considering the facts and circumstances of the case and the limited request sought for by the petitioners, this Court directs the first respondent to dispose of the appeals dated 21.12.2020 filed by the petitioners', after hearing the petitioners as well as the respondents 2 to 4, on merits and in accordance with law, as expeditiously as possible.



6. With the above direction, these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are also closed.

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s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

Rli

To

1. The Judge
VI Small Causes Court, Chennai
2. The Judge
III Additional City Civil Court, Chennai
3. The Rent Control Authority
Revenue Divisional officer,
Sub Collector,
Chennai-Soth Division,
Anna Salai, Guindy,
Chennai 32.

+2 Ccs to Mr.R. Ganesh Kumar, Advocate sr 3841, 3840.
+2 Ccs to M/s.G. Sumithra, Advocate sr 3479, 3480.
+1 CC to The Government Pleader sr 3688, 3689.

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BS (CO)
SP(13/04/2022)