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C.R.P.No.3794 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.3794 of 2022

C.K.Balakrishnan

... Petitioner

VS

1.M.Kannan Mahendran
2.M.Abdul Hakkem

... Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to direct the learned District Munsif, Mettupalayam to dispose of I.A.No.1 of 2021 in R.C.O.P.No.6 of 2017 within the time frame fixed by this Court.

For Petitioner : Ms.M.Nandhini
for Mr.N.Ponraj

ORDER

The Civil Revision Petition is filed seeking a direction to the learned District Munsif, Mettupalayam to dispose of I.A.No.1 of 2021 in R.C.O.P.No.6 of 2017 within a time stipulated by this Court.



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WEB COPY 2. Having regard to the limited prayer made in this revision, this Court is inclined to dispose the civil revision petition, even without notice to the respondents.

3. The petitioner/landlord herein filed a petition seeking eviction of the respondents in R.C.O.P.No.6 of 2017 on the ground of willful default in payment of rent, demolition and reconstruction.

4. The perusal of the docket entry filed in the typed-set of papers would suggest that the notice was issued to the respondents on 19.04.2017 and they entered appearance on 22.06.2017. Subsequently, the matter has been adjourned for filing counter for nearly three years. Ultimately, on 14.02.2020 both the respondents were set *exparte* and the matter was posted for *exparte* enquiry. Subsequently, the 1st respondent herein filed I.A.No.1 of 2021 seeking to set aside the *exparte* order passed against him and the said IA is pending from March-2021 to till date, without any substantial progress. Therefore, this Court is inclined to issue a direction to the learned District



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Munsif, Mettupalayam to dispose of I.A.No.1 of 2021 within a period of eight weeks from the date of receipt of copy of this order.

5. With the above direction, the Civil Revision Petition is disposed of.

No costs.

21.11.2022

Index : Yes / No
Speaking Order : Yes / No
dm

To

The District Munsif,
Mettupalayam.



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S.SOUNTHAR, J.

dm

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