



CRP(PD)(MD)No.1688 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.08.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRP(PD)(MD)No.1688 of 2022
and CMP(MD)Nos.7420 and 7253 of 2022

1. K.Maruthumani
2. K.Rengaraj

... Petitioners

versus

R.Muthammal (died)
1. J.Sivakami
2. N.Lakshmi
3. N.Gowri
4. Sundararajan @ Sundaram
5. Sureshkumar
6. Chandru

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India, to call for the records in E.A.No.1 of 2022 in E.P.No.101 of 2019 in R.C.O.P.No.126 of 2008 on the file of the Rent Controller/District Munsif cum Judicial Magistrate, Srirangam, Tiruchirappalli and strike off the same.



CRP(PD)(MD)No.1688 of 2022

WEB COPY

For Petitioners : Mr.S.Jayavel

ORDER

This Civil Revision Petition is filed to call for the records in E.A.No.1 of 2022 in E.P.No.101 of 2019 in R.C.O.P.No.126 of 2008 on the file of the Rent Controller/District Munsif cum Judicial Magistrate, Srirangam, Tiruchirappalli and strike off the same

2. The petitioners herein are landlords. The respondents 1 to 3 are tenants. The petitioners herein filed RCOP No.126 of 2008 before the Rent Controller, for eviction. The Rent Controller, by its order dated 16.10.2014, ordered for eviction. Challenging the same, the tenants have filed R.C.A.No.28 of 2014 before the Rent Control Appellate Authority. The Rent Control Appellate Authority has also confirmed the order of Rent Controller. Aggrieved by the same, the tenants have also filed CRP(MD)No.561 of 2021 before this Court. This Court, by order dated 08.12.2021, disposed of the revision petition



CRP(PD)(MD)No.1688 of 2022

based on the undertaking given by the tenants that they will vacate the premises on or before 08.06.2022.

3. The grievance of the petitioners is that though the order of eviction was passed in R.C.O.P.No.126 of 2008 on 16.10.2014, which was also confirmed by the Rent Control Appellate Authority in R.C.A.No.28 of 2014, the Execution Petition filed in the year 2019 is still pending. Further, in order to drag on the proceedings, the respondents 4 to 6 herein, who are the obstructors, filed E.A.No.1 of 2022 claiming that they are the original tenants and they also denied the relationship of landlords and tenants between the petitioners and the respondents 1 to 3 in respect of the property in dispute.

4. The learned counsel for the petitioners confines his relief for early disposal of E.A.No.1 of 2022 in E.P.No.101 of 2019 in R.C.O.P.No.126 of 2008, which is pending on the file of the Rent Controller/District Munsif cum Judicial Magistrate, Srirangam,



CRP(PD)(MD)No.1688 of 2022

Tiruchirappalli.

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5. Therefore, this Court, without expressing anything on the merits of the case, directs the Executing Court to dispose of both E.A.No.1 of 2022 and E.P.No.101 of 2019 in R.C.O.P.No.126 of 2008, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, the Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

18.08.2022

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Index : Yes / No

Internet: Yes / No.

To

1. The Principal District Munsif,
Tiruchirappalli.

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CRP(PD)(MD)No.1688 of 2022

B.PUGALENDHI, J.

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CRP(PD)(MD)No.1688 of 2022

18.08.2022