



CRP(PD)(MD)No.2100 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRP(PD)(MD)No.2100 of 2022

Sundararajan Vijayramalingam

... Petitioner

versus

L.Padmavathy

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India, seeking a direction to the learned Additional District Munsif Court, Madurai Town, to expeditiously dispose of the proceedings in E.P.No.131 of 2021 in R.L.T.O.P.No.99 of 2020 pending on its file.

For Petitioner : Mr.Sundararajan Vijayramalingam
Party-in-person

For Respondent : Mr.R.Udhayakumar



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ORDER

The petitioner/landlord has filed the present Civil Revision Petition seeking a direction to the learned Additional District Munsif Court, Madurai Town, to expeditiously dispose of E.P.No.131 of 2021 in R.L.T.O.P.No.99 of 2020.

2. The petitioner/landlord, appearing as party-in-person, submits that he filed R.L.T.O.P.No.99 of 2020 before the Rent Court cum District Munsif, Madurai Town, on 06.08.2020. Since the respondent had failed to appear before the Rent Court, an *ex parte* order was passed on 20.09.2021. Thereafter, he filed an Execution Petition in E.P.No.131 of 2021 on 20.11.2021 and the same is still pending without any progress. Therefore, he has filed the present Civil Revision Petition seeking a direction to the Executing Court for early disposal of the Execution Petition.



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3. Learned counsel Mr.Udhayakumar, who was appointed as legal aid counsel for the respondent, submits that there is no tenancy agreement between the parties and the respondent herein is residing in the property as a lessee and not as a tenant Further, the respondent has not received any notice in the rent control proceedings. However, the Rent Court, without ascertaining the same, passed an *ex parte* order against the respondent in the rent control proceedings. But, she received notice in the Civil Revision Petition. Immediately after receiving the said notice, she approached the Legal Services Authority and on the direction of the Legal Services Authority, he entered appearance on behalf of the respondent. He further submits that the respondent herein is also taking steps to file necessary application before the Rent Court seeking to set aside the *ex parte* order passed on 20.09.2021.



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4. Considering the submission made by the learned counsel for the respondent that the respondent herein is taking steps to file an application to set aside the *ex parte* order passed by the Rent Court on 20.09.2021, this Court is not inclined to issue any direction to the Execution Court as sought for by the petitioner herein.

5. Accordingly, the Civil Revision Petition is closed with liberty to the respondent to file a necessary application against the *ex parte* order passed by the Rent Court on 20.09.2021. No costs.

07.11.2022

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Index : Yes / No.

Internet: Yes / No.

To

The Additional District Munsif Court,
Madurai Town.



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B.PUGALENDHI, J.

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