



CRP(MD)No.643 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRP(MD)No.643 of 2022

O.A.Shahul Hameed

... Petitioner

v.

A.Thirumalai

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India, to call for the records relating to the fair and decreetal order dated 04.02.2020 passed in I.A.No.269 of 2019 in Unnumbered RCA No. - of 2019 in RCOP.No.234 of 2014 on the file of the Principal Sub Court, Madurai and set aside the same.

For Petitioner : Mr.T.S.Mohamed Mohideen

For Respondent : Mr.P.M.Vishnuvardhanan

ORDER

The petitioner, claiming to be the landlord, has filed RCOP.No.234 of 2014 before the District Munsif Court, Madurai, seeking eviction. He has also



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filed an interlocutory application in I.A.No.112 of 2015 to deposit the arrears of rent. The learned Rent Controller, by order dated 11.04.2016, dismissed this application. As against the same, the petitioner proposed to prefer an appeal before the Principal Sub Court, Madurai, however, there was a delay of 78 days in preferring the appeal. Therefore, he has filed an interlocutory application in I.A.No.269 of 2019 to condone the delay. The Rent Control Appellate Authority, by order dated 04.02.2020, dismissed this interlocutory application and as against the same, the petitioner has moved the instant revision petition.

2.When the matter came up for hearing today, learned Counsel appearing for the petitioner submitted that it would suffice if a direction is issued to the Rent Controller to dispose of the main proceedings in RCOP.No. 234 of 2014 within a stipulated time limit, which is agreeable by the respondent's Counsel.

3.In view of the above submission and considering the fact that the RCOP proceedings of the year 2014 is still pending, this Court, without going



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into the merits of the claim, directs the learned District Munsif / Rent
Controller, Madurai, to dispose of the proceedings in RCOP.No.234 of 2014
on merits and in accordance with law, within a period of five months from the
date of receipt of a copy of this order.

In fine, this revision petition stands disposed of. No costs.

Index : Yes / No

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Internet : Yes / No

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To

1.The District Munsif,
Madurai.

2.The Principal Subordinate Judge,
Madurai.



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B.PUGALENDHI, J.

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