



CRP(MD) No.1274 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Friday, the Fourteenth day of July Two Thousand and Twenty Three

PRESENT

The Hon`ble Mrs.Justice K.GOVINDARAJAN THILAKAVADI

CRP(MD) No.1274 of 2022

B.CHANDRA

... PETITIONER/PETITIONER/
LANDLORD

Vs

1 K.JEYABALAN

2 K.SAMPATH

... RESPONDENTS/RESPONDENTS/TENANTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to direct the Honourable Principal District Munsif Court, Madurai Town to dispose the EP.No.52 of 2022 in RLTOP.No.81 of 2020 within a period stipulated by this Honourable Court.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.K.SUDALAIYANDI, Advocate for the petitioner, the court made the following order:-

By an order dated 11.01.2023, this Court disposed of the above Civil Revision Petition with the direction to the learned Principal District Munsif, Madurai to dispose of E.P.No.52 of 2022 in RLTOP No.81 of 2020 within a period of three months



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from the date of receipt of a copy of the order.

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2. Now, the learned Additional District Munsif, Madurai Town has sent a letter dated 05.07.2023 bearing reference D.No.420/2023 to the Registrar (Judicial) of this Court through the Principal District Judge, Madurai seeking for extension of four months time to dispose of E.P. In the said letter dated 05.07.2023, the learned Additional District Munsif, Madurai Town has given certain reasons for non-disposal of the E.P. within the time which reads as under:-

I humbly submit that I have taken over charge of Additional District Munsif, Madurai Town on the afternoon of 28.04.2023. On perusal of case records, the case was posted on 08.03.2023 for Respondent side enquiry.

I further submit that at the time of receiving the reference said order copy on 06.03.2023, the case was posted for R2 side enquiry on 08.03.2023. On 08.03.2023, Petition U/O 21 Rule 36 CPC filed by R2 for staying the further proceedings of EP 52/2022 and the same was numbered as EA 99/23, posted to 14.03.2023. On 30.03.2023, the petition E.A 99/23 was dismissed after full trial and this case was posted for R2 side enquiry on 05.04.2023 and further on 11.04.2023. On 11.04.2023 R2 side



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enquiry was heard, case was posted for orders on 19.04.2023. On 19.04.2023, Order was pronounced as this petition was allowed and ordered for Delivery by 20.06.2023. In the mean time, R2 side filed a petition on 24.04.2023 to advance hearing the EP along with petition to defer the batta. The same was dismissed on 20.06.2023; and posted for Redelivery on 27.06.2023.

On 27.06.2023, the delivery warrant was returned as 'property not delivered, want of break open and police help'. On the same day, the respondent filed a petition to defer the batta and it was numbered as EA 1/23 and the petitioner filed two petitions for want of break open and police help. The were numbered as EA 2/23, EA 3/23, respectively. All the three petitions are pending. Among them, EA 1/23 is pending for notice of hearing and counter on 03.07.2023.

Eventhough this court take necessary steps to dispose this case within stipulated time, this court is not able to dispose this case. I further humbly submit that kindly pardon me for not disposing this case as directed by the Hon'ble High Court within stipulated time.



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3. Considering the reasons given by the learned Additional District Munsif, Madurai Town in the above letter, the time for disposing of the E.P. is extended by another two months from the date of receipt of a copy of this order.

sd/-
14/07/2023

/ TRUE COPY /

/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JEN
TO
1 THE PRINCIPAL DIST MUNSIF
MADURAI

2 THE ADDITIONAL DISTRICT MUNSIF
MADURAI TOWN.

COPY TO:

1 THE REGISTRAR (JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

2 THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRP(MD) No.1274 of 2022
Date :14/07/2023

SA/MMS/SAR. /24.07.2023/4P/5C
Madurai Bench of Madras High Court is issuing certified
copies in this format from 17/07/2023