



C.R.P.(MD)No.1393 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

C.R.P.(MD)No.1393 of 2023

and

C.M.P.(MD)No.6906 of 2023

1.Karuppanan @ Karuvayan
Rasu (Died)
2.Jeyakodi
3.M.Vittal
4.Arumugam

... Petitioners

-Vs-

Meiyammai @ Baby Sevugan

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India praying to set aside the order dated 19.05.2023 passed in E.P.No.14 of 2019 in T.C.T.P.No.1 of 2008 on the file of the Deputy Collector, Revenue Court, Madurai.

For Petitioners : Mr.B.Prahalad Ravi

For Respondent : Mr.S.Manohar



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ORDER

Though elaborate submissions were made on either side, it is noticed that the petitioners had attempted to deposit the arrears of rent by filing an application, which came to be dismissed on 19.05.2023, this was done during the pendency of EP filed by the respondent in EP.No.14 of 2019.

2.The records filed by the petitioners indicate that the Revenue Court had adjourned the E.P from 12.05.2023 to 05.06.2023, however, it proceeded to pass impugned order on 19.05.2023. There is an irregularity at large in the impugned order, inasmuch as the impugned order has been passed on 19.05.2023. If the case was adjourned to 05.06.2023 on 12.05.2023, the petitioner deserved a chance to argue and defend themselves in E.P.No.14 of 2019. Therefore, the impugned order is set aside and the case is remitted back to the Deputy Collector, Revenue Court, Madurai to pass fresh order, after *de novo* enquiry.

3.Since the E.P is of the year 2019 in respect of an order passed on 02.12.2013, the Deputy Collector, Revenue Court, Madurai shall endeavor to



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dispose the E.P.No.14 of 2019, within a period of 30 days from the date of receipt of a copy of this order.

4.Accordingly, this Civil Revision Petition is allowed. No costs.

Consequently, connected miscellaneous petition is closed.

15.06.2023

NCC : Yes / No

Internet : Yes / No

Index : Yes / No

NS

To:

1.The Deputy Collector,
Revenue Court, Madurai.

2.The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



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C.SARAVANAN, J.

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