



C.R.P.(MD) No.2037 of 2023

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K.GOVINDARAJAN THILAKAVADI, J.

This Civil Revision Petition was disposed of on 18.08.2023. At the instance of the learned counsel appearing for the petitioner, this case is listed today under caption ‘for being mentioned’.

2. The learned counsel for the petitioner would submit that in the order dated 18.08.2023, there is a typographical mistake. It is submitted that in the 3rd line in paragraph 6, instead of “E.P.No.123 of 2021”, it has been wrongly typed as “E.A.No.123 of 2021” and therefore, this correction may be carried out.

3. Considering the same, the Registry is directed to carry out the above correction in the order and issue fresh order copy to the parties.

26.09.2023

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26.09.2023



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2023

CORAM

**THE HONOURABLE MRS JUSTICE K. GOVINDARAJAN
THILAKAVADI**

C.R.P(MD)No.2037 of 2023

J.K.Ganesh

... Revision Petitioner

Vs.

1.M.R.Raghu

2.M.Jamal Mydeen

... Respondents

Prayer : Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the learned Additional District Munsif, Additional District Munsif Court, Madurai, to dispose the E.P.No.123 of 2021 in R.C.O.P.No.233 of 2016 within a period stipulated by this Court.

For Petitioner : Mr.K.Sudalaiyandi

ORDER



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The Civil Revision Petition has been filed to direct Additional District Munsif, Madurai, to dispose the E.P.No.123 of 2021 in R.C.O.P.No.233 of 2016 pending on the file of the Additional District Munsif Court, Madurai, within a time frame that may be fixed by this Court.

2. According to the Revision Petitioner, he filed eviction petition in R.C.O.P.No.233 of 2016 on the file of the Additional District Munsif Court, Madurai, against the respondents herein to vacate and surrender the vacant possession of the premises without any let or hindrance to the petitioner and the same was allowed and eviction was ordered on 06.08.2021. Even after the said order passed by the Rent Controller, the respondents failed to hand over the vacant possession. Hence, the petitioner was constrained to file E.P.No.123 of 2021. Thereafter, the respondents sought several adjournments saying that R.C.A.No.13 of 2022 is pending before the Principal Sub Court, Madurai.

3. In the meantime, the Execution Court ordered for delivery of property. Subsequently, the respondents challenging the order of delivery passed in Execution Petition, preferred C.R.P. (MD)No.1753 of 2023 before this Court and the same is still pending



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without any interim order. In order to drag on the proceedings, the respondents filed vexatious Applications in E.A.No.76 of 2023 seeking stay of the Execution Proceedings and E.A.No.111 of 2023 seeking declaration that the eviction order is null and void. Hence, the petitioner was constrained to file this Civil Revision Petition, since the said Court is not inclined to dispose the matter expeditiously. Hence, the petitioner approached this Court for early disposal of the above E.P.No.123 of 2021. Hence, he prays for allowing the Civil Revision Petition.

4. Considering the limited prayer sought for in the Revision, notice to other side is deemed unnecessary.

5. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

6. Considering the facts and circumstances of the case and the Execution Petition relates to the year 2021, this Court directs the learned Additional District Munsif, Additional District Munsif Court, Madurai, to dispose the E.A.No.123 of 2021 in R.C.O.P.No.233 of 2016, on merits and in accordance with law, without any unnecessary adjournments, as expeditiously as possible, preferably within a period of three (03) months



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from the date of receipt of copy of this order.

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7. With the above direction, this Civil Revision Petition is disposed of. No costs.

18.08.2023

Index : Yes/No
Internet : Yes/No
NCC : Yes/No

RM



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To

- 1.The Additional District Munsif,
Additional District Munsif Court,
Madurai.
- 2.The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



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RM

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