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Tr.CMP No.70 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2024

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

Tr.CMP No.70 of 2024

N.Mohan

... Petitioner

Vs.

P.Gajendran

...Respondent

PRAYER: Civil Revision Petition filed under Section 24 & 151 of CPC to withdraw and transfer the pending rent control proceeding in RLT OP No.3/2021 (CNR No.TNKP120002072021) on the file of the District Munsif, Sriperumbudur, within the jurisdiction of Kancheepuram District Court to the file of the Additional District Munsif Court, Poonamallee, within the jurisdiction of Thiruvallur District Court.

For Petitioner

: Mr.G.B.Sabaridas



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ORDER

This Civil Revision Petition has been filed to withdraw and transfer the pending rent control proceedings in RLT OP No.3/2021 (CNR No.TNKP120002072021) on the file of the District Munsif, Sriperumbudur, within the jurisdiction of Kancheepuram District Court to the file of the Additional District Munsif Court, Poonamallee, within the jurisdiction of Thiruvallur District Court.

2. The petitioner herein is the owner of the building and the respondent herein is the tenant and the petitioner has filed the above RLT OP No.3/2021 for eviction of the respondent, since he has not paid the arrears of rent. Further, the learned District Munsif, Sriperumbudur, vide order dated 23.03.2023, has directed the respondent to pay arrears of rent Rs.1,30,000/- before 19.04.2023, however, the respondent has not complied with the above order. In the above court, the judicial officer post is kept vacant and hence, the case is periodically adjourned, without any progress. Therefore, this civil revision petition has been filed to transfer the case to



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the Additional District Munsif Court, Poonamallee.

3. The learned counsel for the petitioner submitted that the Judicial Officer post in the District Munsif Court, Sriperumundur is kept vacant and hence, the case may be transferred to the Additional District Munsif Court, Poonamallee, where, regular Judge is available and if the case is transferred to the above court, the court proceedings will be conducted on all court working days, consequently, the case getting disposed of early.

4. On the ground of Judicial Officer is not available in the District Munsif, Kancheepuram, the case cannot be transferred to some other court. Therefore, there is no valid ground to allow the civil revision petition.

5. At this juncture, the learned counsel for the petitioner seeks direction of this court to the District Munsif, Kancheepuram to take further proceedings in the matter.



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6. Accordingly, the transfer civil miscellaneous petition is dismissed.

No costs. However, the District Munsif, Sriperumbudur is directed to dispose of the RLTOP No.3/2021, as early as possible, preferably, within two months from the date of receipt of a copy of this order.

06.02.2024

Index: Yes/No
Internet: Yes/No
mst

To

The District Munsif, Sriperumandur.



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V.SIVAGNANAM, J.,

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