



CRP.No.955 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 14.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

CRP No.955 of 2024

V.C.Kandaswamy	...	Petitioner
	Vs.	
P.Janaki Ammal	...	Respondent

Prayer: Civil Revision Petition has been filed under Article 227 of Constitution of India to issue direction to the Learned XIII Small Causes Court to complete the proceedings in RLTOP No.75 of 2022 expeditiously and in any event no later than a time frame to be fixed by this Hon'ble Court.

For Petitioner : Ms.S.P.Arthi

ORDER

This civil revision petition has been filed to issue direction to the XIII Small Causes Court to complete the proceedings in RLTOP No.75 of 2022 expeditiously.



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2.The learned counsel appearing for the petitioner submitted that the petitioner is an absolute owner of the property bearing at No.249/515, Mint Street, Parktown, Chennai – 600 003. The respondent is a tenant under him in respect of two adjacent portions in the said property on a monthly rent of Rs.18,000/-. The respondent has been irregular in payment of rents and in arrears of rent from April, 2015. Hence, the petitioner filed RLTOP No.75 of 2022 before the XIII Court of Small Causes, Chennai, which has been pending since January 2022. The case was posted for cross examination of PW1 but the respondent had taken adjournments repeatedly to prolong the legal process. The petitioner is a senior citizen. Hence, the petitioner by way of the present civil revision petition sought direction of this court to the Trial Judge to dispose the case within a stipulated time.

3.I have considered the matter in the light of the submission made by the learned counsel appearing for the petitioner and perused the material available on record.



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4. On verification through e-filing, the total pendency of the trial Court is 7,318. With regard to the disposal of pending cases in the Court, the *Hon'ble Supreme Court in W.P.No.587/2023, dated 10.11.2023, in Shaikh Uzma Feroz Hussain Vs. The State of Maharashtra* held that “since every High Court and every Court in the country has a huge pendency, the constitutional court should avoid temptation of fixing a time-bound schedule for disposal of any case before any court unless the situation is extra ordinary.”

5. Considering the pendency of the case before the trial Court and the decision of the Hon'ble Supreme Court *in W.P.No.587/2023, dated 10.11.2023, in Shaikh Uzma Feroz Hussain Vs. The State of Maharashtra*, no time bound order can be passed for disposal of the case. However, considering the age of the parties, this Court directs the learned XIII Small Causes Judge, Chennai to dispose the case in RLTOP.No.75 of 2022 as early as possible after affording an opportunity to both the parties.



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6. With the above direction, the Civil Revision Petition is allowed.

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No costs.

Index: Yes/No
Internet: Yes/No
sms

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To

The XIII Small Causes Court, Chennai.

V.SIVAGNANAM, J.



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