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C.R.P.No.1238 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2024

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

C.R.P.No.1238 of 2024

K.C.Vijaya

... Petitioner

Versus

Sheeja

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to direct the learned District Munsif Ambattur, Thiruvallur District to expedite trial and to fix a time frame for the disposal of the above said R.L.T.O.P.No.42 of 2021.

For Petitioner : Mr.P.Babu

ORDER

This Civil Revision Petition has been filed to direct the learned District Munsif Ambattur, Thiruvallur District to expedite trial and to fix a time frame for disposal of R.L.T.O.P.No.42 of 2021.



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2.The petitioner/landlord has filed R.L.T.O.P.No.42 of 2021 against the respondent/tenant before the learned District Munsif, Ambattur to vacate the respondent and handover the vacant possession on the ground of unregistration of agreement in respect of the schedule of property bearing No.147/2, Ground Floor, Golden Jubilee Colony, Padikuppam, Chennai.

3.The learned counsel for the petitioner submitted that R.L.T.O.P.No.42 of 2021 has been pending from the year 2021 onwards. As per Section 34(6)(a) of Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017, rent control application shall be decided within ninety days. But after lapse of three years, the petitioner's application is yet to be decided. He further submitted that the application is pending for arguments from 03.11.2022 due to non-cooperation of the respondent. The petitioner completed her arguments without delay. The respondent taking undue advantage of situation, is dragging on the proceedings which affects the petitioner's right. Added to it, the respondent is not paying monthly rent for more than three years. The petitioner is a senior citizen aged about 70 years and she is suffering from age related health ailments. The learned counsel



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further submitted that the petitioner wants to settle her unencumbered property during her lifetime as per her wish. From the year 2023, the application is posted under the caption “Arguments” before the trial Court. Hence, he prays for direction to complete the trial.

4.Notice through Court as well as privately ordered to the respondent. Finding the door has been locked, but intimation served to the respondent/tenant. Thereafter, the respondent name printed in the cause list. Despite the same, no representation for the respondent either in person or by any counsel.

5.Considering the submission and on perusal of the materials, it is seen that the application filed in the year 2021 by the petitioner. The petitioner is a senior citizen with aged related health ailments. The petitioner already completed her arguments and the case is posted for orders in the year 2023, but till date no orders passed.

6.In view of the above, the learned District Munsif, Ambattur is directed to complete the proceedings in R.L.T.O.P.No.42 of 2021 within a period of



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thirty days from the date of receipt of a copy of this order.

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7. With the above direction, this civil revision petition stands disposed of. No costs.

17.04.2024

Speaking order/Non-speaking order

Index: Yes/No

Neutral Citation: Yes/No

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To

The District Munsif,
Ambattur.

Note: Issue Order Copy on 23.04.2024.



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M.NIRMAL KUMAR, J.

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