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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2024

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

C.R.P.No.2739 of 2024

1. K.Keerthivasan
2. K.Gurumoorthy
Petitioners

...

Vs.

S.M.Karthikeyan
Respondent

...

PRAYER: Civil Revision Petition has been filed under Article 227 of Constitution of India, 1950, praying to direct the District Munsif Court, Karaikal (Rent Controller) to dispose of the Rent Control proceedings in R.C.O.P.No.5 of 2022 within a stipulated period of time as framed by this Court on merits in accordance with law.

For Petitioners : Mr.S.S.Rajesh

ORDER

This Civil Revision Petition has been filed to seeking a direction to the learned District Munsif Court, Karaikal (Rent Controller) to dispose of the Rent Control proceedings in R.C.O.P.No.5 of 2022 within a stipulated period of time as



framed by this Court on merits in accordance with law.

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2. The petitioners are the landlords, who have filed R.C.O.P.No.5 of 2022 seeking eviction of the respondent, on the ground of willful default of rent payable to the petitioners. In this case, on 28.11.2022, summons was served and the respondent was called absent and hence, he was set *exparte* and posted for enquiry on 10.01.2023. On 10.01.2023, P.W.2 on the side of the petitioners' side evidence closed and the case was adjourned to 15.02.2023 and thereafter, on 03.04.2023, 13.04.2023, 26.04.2023, 12.06.2023, 30.06.2023, 30.08.2023, 01.12.2023, 09.01.2024 and 24.01.2024, now posted on 26.08.2024. Till 24.01.2024, it was posted under the caption 'for orders'. But, suddenly, on 24.01.2024, it was posted 'for clarification' on 07.03.2024. On 07.03.2024, the counsel appeared, and it was informed to him that is only for administrative reason such recordings made and no clarification required and orders would be passed soon in R.C.O.P. No.5 of 2022. The petitioners' apprehension is that though the case was adjourned several times for passing orders, but yet to be passed in the above petition.

3. Since it is only a limited prayer seeking direction to dispose of the petition in R.C.O.P.No.5 of 2022 within the stipulated period, notice to the



respondent not required. Hence, notice to the respondent dispensed with.

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4. Considering the submissions made and on perusal of the material, in this case *ex parte* order was passed on 28.11.2022, thereafter, the petitioner's side evidence completed and chief affidavit also filed within 1 ½ years, still orders not passed. In view of the same, this Court directs the learned District Munsif Court, Karaikal (Rent Controller) to conclude the proceedings in R.C.O.P.No.5 of 2022, positively on the next date of hearing i.e., on 26.08.2024.

5. With the above directions, this Civil Revision Petition is disposed of.

No costs.

01.08.2024

Index : Yes/No

Internet : Yes/No

Speaking order/Non speaking order

Neutral Citation : Yes/No

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Note: Issue order copy on 02.08.2024.

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M.NIRMAL KUMAR, J.

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To

The District Munsif Court,
Karaikal (Rent Controller)

C.R.P.No.2739 of 2024

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