



C.R.P.(MD)No.2560 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 24.10.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD)No.2560 of 2024

and

C.M.P.(MD)No.14832 of 2024

1.Christhu Xavier

2.Selvarani

... Petitioners / Petitioners / Defendants

Vs.

Jeyakumar

... Respondent / Respondent / Plaintiff

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 05.06.2024 passed by the District Munsif Court, Lalgudi in I.A.No.7 of 2024 in R.L.T.O.P.No.1 of 2022.

For Petitioners : Mr.T.Leninkumar

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ORDER

Heard the learned counsel for the revision petitioners.

2.The revision petitioners are tenants. The respondent herein has filed R.L.T.O.P.No.1 of 2022 on the file of the District Munsif Court, Lalgudi for



C.R.P.(MD)No.2560 of 2024

evicting the revision petitioners herein. In the said R.L.T.O.P., the petitioners herein filed I.A.No.7 of 2024 for appointing an advocate commissioner. The petitioners' submission is that the landlord had trespassed into the petition mentioned premise and damaged the water tank and also taken away the motor pump. In order to establish this allegation, the petitioners wanted the Court below to appoint an advocate commissioner. The I.A. was dismissed vide order dated 05.06.2024. Questioning the same, this civil revision petition has been filed.

3.The learned counsel for the revision petitioners reiterated all the contentions set out in the memorandum of grounds of the civil revision petition and called upon this Court to set aside the impugned order and grant relief as prayed for.

4.I am not swayed by the said submissions. I wanted to know on what grounds the eviction petition has been laid. It is conceded that one of the grounds on which the eviction petition has been laid is non-registration of the tenancy agreement. The other grounds pleaded in the eviction petition is wilful default.



C.R.P.(MD)No.2560 of 2024

5.The Court below has rightly observed that noting down the physical features of the property is not going to aid in adjudicating the main R.L.T.O.P. The Court below has rightly dismissed the I.A. It has given sound and convincing reasons. Interference with the said order is not warranted. The civil revision petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

24.10.2024

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

To:

The District Munsif Court,
Lalgudi.



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C.R.P.(MD)No.2560 of 2024

G.R.SWAMINATHAN, J.

ias

C.R.P.(MD)No.2560 of 2024

24.10.2024