



C.R.P.No.1481 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2025

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

C.R.P.No.1481 of 2025
and C.M.P.No.8674 of 2025

T.Ruk Mangadan

... Petitioner

Vs

D.Vimalchand

... Respondent

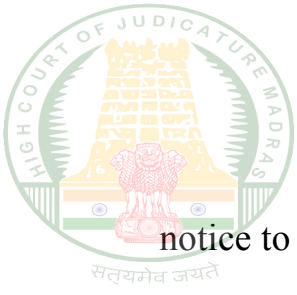
PRAYER : Civil Revision Petition filed under Section 115 of the Civil Procedure Court, pleaded to set aside the fair and final order of the District Munsif Court, Arakkonam, passed in E.P.No.05 of 2024 in RLTOP No.01 of 2023.

For Petitioner : Mr.K.Venkatasubban

ORDER

The Civil Revision Petition has been filed against the order passed by the District Munsif Court, Arakkonam, in E.P.No.05 of 2024 in RLTOP No.01 of 2023.

2. Heard the learned counsel appearing for the petitioner and perused the materials available on record. Taking into consideration the facts of the case,



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notice to the respondent is dispensed with.

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3. The case of the petitioner is as follows :-

3.1. The respondent has filed RLTOP No.1 of 2023 against the petitioner before the District Munsif Court, Arakkonam, Vellore for repossession under Section 21(2)(a) of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017.

3.2. The learned District Munsif, Arakkonam, vide order dated 29.09.2023, had allowed the petition in favour of the respondent and ordered repossession. Against which, the petitioner had preferred an appeal in RLTA.No.1 of 2024 before the Principal District Court, Ranipet, within time.

3.3. Section 38 of the Tamil Nadu Regulation of Rights and Responsibilities of Landlords and Tenants Act, 2017 stipulates that the appeal should be disposed of on merits within a period of 120 days from the date of service of notice of the appeal on the respondent. However, in this case, the appeal has not been disposed and it is pending.

3.4. Thereafter, the petitioner had filed an application in I.A.No.2 of 2024 in RLTA.No.1 of 2024 seeking stay and it is also pending. Meanwhile, the



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respondent has filed an execution petition in E.P.No.5 of 2024.

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3.5. The petitioner has now been put in a predicament that neither the stay petition has been heard nor the appeal has been disposed.

4. In view of the above, the appellate Court should either dispose of the interim stay application or dispose of the main appeal itself on merits as expeditiously as possible. Therefore, calling upon the tribunal to adopt either one of the course of action, the Civil Revision Petition is disposed of. No costs

5. The Principal District Judge, Ranipet, is directed to dispose of the appeal on merits in accordance with law within a period of 10 weeks from the date of receipt of copy of this order. Further, till the disposal of the appeal, the order passed in E.P.No.5 of 2024 in RLTOP No.1 of 2023 on the file of the District Munsif Court, Arakkonam, shall remain stayed.

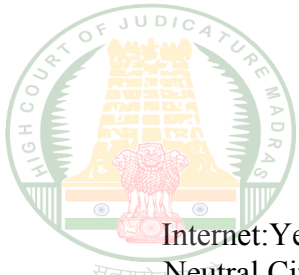
6. Consequently, connected miscellaneous petition is closed. No costs.

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Note : Registry is directed to return the original papers to the counsel for the petitioner.

Index: Yes/No

Speaking/Non-speaking order



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Internet: Yes

Neutral Citation: Yes/No

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A.D.JAGADISH CHANDIRA, J.

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To

1. The The Principal District Judge, Ranipet
2. The District Munsif Court, Arakkonam.
3. The Section Officer,
VR Section, High Court of Madras.

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