



C.R.P.(MD) No.1608 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2023

CORAM

THE HON'BLE **MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI**

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1.Karuppiah

Kalaimani (Died)

2.Sethumathi

3.Karthikeyan

... Petitioners

Vs.

1.Muthulakshmi

2.Ramesh

3.Rajmohan

4.Damotharan

5.Muralitharan

... Respondents

Prayer: This Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the Principal Sub Court, Pudukkottai to dispose of I.A.No. 683 of 2022 in O.S.No.243 of 2022 filed under Order 7 Rule 11 of the Code of Civil Procedure, 1908 for rejection of the plaint within a time framed fixed by this Court.



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For Petitioners : Mr.N.Balakrishnan

For Respondents : Mr.D.Rameshkumar

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ORDER

This Civil Revision Petition has been filed by the petitioners for speedy disposal of I.A.No.683 of 2022 in O.S.No.243 of 2022 on the file of the Principal Sub Court, Pudukkottai.

2. According to the petitioners, the respondents/plaintiffs filed the suit in O.S.No.243 of 2022 before the Principal Sub Court, Pudukkottai for permanent injunction restraining the petitioners/defendants from interfering with the respondents'/plaintiffs' peaceful possession and enjoyment of the suit property.

3. It is submitted that the respondents/plaintiffs while filing the suit in O.S.No.243 of 2022 have suppressed entire earlier court proceedings right from the Trial Court upto this Court, in O.S.No.273 of 1998, A.S.No.123 of 2001, S.A.No.884 of 2003 and in Review Application, wantonly and deliberately for the purpose of maintaining fresh suit.

4. It is further submitted that the suit in O.S.No.243 of 2022 is a mockery of justice and the respondents/plaintiffs are playing fraud on Court self evident



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and therefore, the petitioners/defendants filed I.A.No.683 of 2022 to nip the frivolous suit in the bud. It is further submitted that the Court below is adjourning the case periodically at request of the respondents/plaintiffs adversely affecting the interest of the petitioners/defendants and the petitioner/defendants are unable to enjoy the fruits of the decree peacefully even after a lapse of 25 years. Therefore, the petitioners were constrained to approach this Court for early disposal of the said I.A.

5. Considering the above, the learned Principal Sub Judge, Pudukkottai is directed to dispose I.A.No.683 of 2022 in O.S.No.243 of 2022 on merits, without giving any unnecessary adjournments, expeditiously, within a period of 2 months from the date of receipt of a copy of this order.

6. Accordingly, this Civil Revision Petition is disposed of. No cost.

16.08.2023

NCC :Yes/No
Internet: Yes/No
Index: Yes/ No
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To
The Principal Sub Judge, Pudukkottai.



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K.GOVINDARAJAN THILAKAVADI, J.

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