



C.R.P.(MD)No.2668 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.2668 of 2023

Canaan Trust rep.by its Managing Trustee,
Thangaselvi,
No.19, John Kennedy Street,
Nanganalloor, Chennai – 61

... Petitioner/Petitioner
Plaintiff

Vs.

1. The State of Tamil Nadu,
Represented by the District Collector,
Kanyakumari District,
Nagercoil,
Agastheeswaran Taluk,
Kanyakumari District.

2.The Block Development Officer,
Munchirai Panchayat Union,
Puthukadai Post,
Kanyakumari District – 629 171.

3.V.Vethasamuel

... Respondents/Respondents/
Defendants

Prayer : This Civil Revision Petition filed under Article 227 of Constitution of India, to direct learned Sub Judge, Kuzhithurai to dispose



C.R.P.(MD)No.2668 of 2023

of the application in I.A.No.3 of 2023 in O.S.No157 of 2023 on its file,
within a time frame fixed by this Court.

For Petitioner : Mr.S.Ramesh

ORDER

The Civil Revision Petition has been filed seeking a direction to dispose of the application in I.A.No.3 of 2023 in O.S.No157 of 2023, pending on the file of the learned Sub Judge, Kuzhithurai, within a specified time fixed by this Court.

2. I have heard the learned counsel appearing for the revision petitioner. Since the revision petition is filed for early disposal of the case, the issuance of notice to the respondents is not necessary.

3. The petitioner/plaintiff has filed the suit in O.S.No.157 of 2023 for declaration of title, recovery of possession in respect of 2 cents of land and to declare the gift deed, dated 21.08.2008, registered as document No.137 of 2008 by the third defendant as null and void and for mandatory injunction to remove the unauthorized construction being put up by the first and second defendants.



C.R.P.(MD)No.2668 of 2023

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4. Pending suit, the petitioner/plaintiff has filed an application for temporary injunction and the same was taken on file in I.A.No.3 of 2023. He would further submit that though the application was adjourned to 08.09.2023 for filing counter, the same was adjourned again and the enquiry is yet to be taken and the petition is being adjourned again and again and that therefore, the above said case has to be expedited.

5. The High Court has already issued circulars to the District Judiciary, directing the Courts to give priority for the cases relating to Senior Citizens, HIV affected persons, Defence Personnel, Women and Children, more than 5 year old cases etc., It is to be noted that the revision petitioner, without approaching the trial Court, has directly come forward with the present Revision Petition before this Court, seeking early disposal. In the absence of total pendency particulars and the work burden of that particular Court, this Court is not inclined to give any direction to dispose of the case within a specified period of time.

6. However, the trial Court is required to give priority to the cases, as per the Circulars of the High Court. The revision petitioner is at liberty



C.R.P.(MD)No.2668 of 2023

to approach the trial Court and if such requisition for early disposal of the case is made, the learned trial Judge is required to consider the urgency for early trial, in the light of the circulars issued by this Court.

7. With the above observation and direction, the Civil Revision Petition is disposed of. No costs.

16.10.2023

NCC :yes/No
Index :yes/No
Internet:yes/No
das

To

1. The Sub Judge, Kuzhithurai.
2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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C.R.P.(MD)No.2668 of 2023

K.MURALI SHANKAR,J.

das

Order made in
C.R.P.(MD)No.2668 of 2023

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