IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.R.P.(PD) NO.1359 OF 2015
AND M.P.NO.1 OF 2015

Dhanasekaran ... Petitioner

Vs.

1.Kantha
2.Kumudha
3.Perumal
4.Elumalai
5.Saraswathi
6.Ebher Muralidharan
7.Annalammal
8.Kiresha
9.Ruban
10.Ranjit Kumar
11.Jebakumar
12.Loganathan
13.Jayalakshmi
14.Vasantha
15.Manoharan
16.Viviyan
17.Minor Reny
Son of Late Raja
Represented by 16th Respondent
being Mother C/o. Mrs.Viviyan
18.Minor Joe
Son of Late Raja
Represented by 16th Respondent
being Mother C/o. Mrs.Viviyan

19.Ananthi
20.Ramachandran
21.Kanakaraj
22.Chitra
23.Subhatra
24.Lakshmi
25.Munusamy
26.Santhalingam
27.Indira
28.Arumugam
29.Srinivasan
30.Lalitha
P.Dhanapushnam – Died
31.Subramanian ... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India with a prayer to direct the Lower Court to dispose of I.A.No.13 of 2015 in O.S.No.82 of 2014 pending before the District and Sessions Judge No.II at Kanchipuram.

For Petitioner : Mr.B.Kumar
Senior Counsel for Mr.V.K.R.Balakrishnan

O R D E R

This Civil Revision Petition is filed praying for a direction to the learned District and Sessions Judge No.II, Kanchipuram to dispose of I.A.No.13 of 2015 in O.S.No.82 of 2014 in a time frame.

2.Shri. B.Kumar, learned Senior Counsel for the petitioner / 9th defendant submitted that the respondents 1 to 6 herein / plaintiffs have

instituted the suit in O.S.No.82 of 2014 for declaration of the family arrangement deed dated 22.06.1959, release deed dated 08.04.1987 and the sale deed dated 03.05.1993 as null and void after a lapse of 50 years and they have also filed applications in I.A.No.419 of 2014 seeking interim injunction restraining the defendants/ respondents 7 to 31 herein from alienating or encumbering the property and I.A.No.25 of 2015 for temporary injunction restraining the defendants from putting up construction in item no.IV of the suit property.

3.The learned Senior Counsel further submitted that the plaintiffs have no cause of action to file the suit against the defendants and therefore, an application in I.A.No.13 of 2015 was filed to reject the plaint. However, the application is being adjourned without any justifiable reason, which causes mental agony and hardship to the petitioner.

4.Considering the facts of the case and the submissions of the learned Senior Counsel for the petitioner, the learned District and Sessions Judge No.II, Kanchipuram is directed to dispose of I.A.No.13 of 2015 in O.S.No.82 of 2014, on merits and in accordance with law, as expeditiously as possible, preferably on or before 31.07.2015.

5.This Civil Revision Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

30.03.2015

Index : Yes/No
Internet : Yes/No
TK

To

The District and Sessions Judge No.II
Kanchipuram.

K.KALYANASUNDARAM, J.

TK

C.R.P.(PD) NO.1359 OF 2015

30.03.2015