

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.R.P.(PD) NO.1285 OF 2015

1.N.Jaganathan
2.R.Rakav Balaji

... Petitioners

Vs.

1.Muthusamy
2.Athammal
3.Muthulakshmi
4.Sengathal
5.Aruchamy
6.Kuppusamy
7.Muthulakshmi
8.Selvathal
9.Mohanavadivu
10.K.Gunasakunthala
11.Sathish Kumar
12.Jagadeesh Kumar
13.Nelavathi

14.Thasildar
Kinathukadavu Taluk,
Coimbatore District.

15.Sub Collector
Pollachi,
Coimbatore District.

16.The District Collector
Coimbatore District.

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India with a prayer to direct the learned District Munsif, Pollachi to dispose of I.A.No.1343 of 2014 within a time frame as fixed by this Court.

For Petitioner : Mr.A.Mohammed Ismail

ORDER

Heard the submissions made by Mr.A.Mohammed Ismail, learned counsel for the petitioner and perused the materials available on record.

2.This petition has been filed seeking for a direction to the District Munsif Court, Pollachi to dispose of I.A.No.1343 of 2014 in O.S.No.479 of 2013.

3.It is seen that the respondents 1 to 13 have instituted the suit against the petitioners and the respondents 14 to 16 for permanent injunction. In the suit, the petitioners have filed an application in I.A.No.1343 of 2014 under Order VII Rule 11 read with Section 11 of the Civil Procedure Code to reject the plaint on the ground of limitation and res-judicata and want of cause of action.

4.Mr.A.Mohammed Ismail, learned counsel for the petitioner submitted that this is the third round of litigation the petitioners are facing and

the suit filed by the respondents is a clear abuse of process of law. It is further contented that the application filed by the petitioners to reject the plaint is being adjourned without any justifiable reason.

5.Considering the facts of the case and the submissions of the learned counsel for the petitioner, the learned District Munsif, Pollachi is directed to dispose of I.A.No.1343 of 2014 in O.S.No.479 of 2013, on merits and in accordance with law, as expeditiously as possible, preferably on or before 30.06.2015.

6.This Civil Revision Petition is disposed of with the above direction. No costs.

01.04.2015

Index : Yes/No
Internet : Yes/No
DN/TK

To

The District Munsif
Pollachi.

K.KALYANASUNDARAM, J.

DN/TK

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