

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2015

CORAM

THE HONOURABLE **Mr. JUSTICE K.KALYANASUNDARAM**

CRP.(PD).Nos.1316 to 1318 of 2015

1.R.Paul Pandian
2.P.Ramesh

.. Petitioners in all CRPs.

vs

Mathiyalagan

..Respondent in all CRPs.

Prayer in all CRPS: These Civil Revision Petitions filed under Article 227 of the Constitution of India directing the learned District Munsif, Poonamnalle, to dispose of the I.A.Nos.1701 to 1703 of 2014 in O.S.No.239 of 2014 the trial to be taken day to day basis and fixed the stipulated time.

For Petitioners : Mr.M.V.Muralidharan

COMMON ORDER

These civil revision petitions have been filed seeking for a direction to the learned District Munsif, Poonamallee, to dispose of the applications in I.A.Nos.1701 to 1703 of 2014 in O.S.No. O.S.No.239 of 2014.

2. The petitioners before this Court are the defendants in O.S.No.239 of 2014 filed by the respondent/plaintiff for permanent injunction.

3. At the instance of the petitioners/defendants in I.A.No.1098 of 2014, the trial court appointed an Advocate Commissioner and he has also filed his report on 11.11.2014. Thereupon the respondent/plaintiff filed the applications in I.A.No.1701 of 2014 to reopen the I.A.No.1098 of 2014, I.A.No.1702 of 2014 to condone the delay of 6 days in filing the objection to the commissioner's report and I.A.No.1703 of 2014 to remit back the warrant of commission issued in I.A.No.1098 of 2014 to reinspect the suit property. The petitioners herein have filed their common counter on 06.01.2015.

4. Mr.M.V.Muralidharan, learned counsel for the petitioner submitted that the respondent has filed the suit for permanent injunction, but he is not interested to proceed with the trial. It is further contended that the applications were filed only to prolong the litigation and the learned District Munsif, Poonamallee, without any justified reasons has been adjourning the petitions, which causes hardship and mental agony to the petitioners.

5. Considering the facts of the case and submissions made by the learned counsel for the petitioners, the learned District Munsif, Poonamallee, is directed to dispose of I.A.Nos.1701 to 1703 of 2014 in O.S.No.239 of 2014 as expeditiously as possible, preferably on or before 30.04.2015 on merits and in accordance with law.

6. These Civil Revision Petitions are disposed of accordingly.
No costs.

27.03.2015

kkd
Index : Yes/No
Internet : Yes/No

To
The District Munsif Court,
Poonamnalle,

K.KALYANASUNDARAM,J.,

kkd

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