

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 27.11.2015

CORAM

THE HONOURABLE Ms. JUSTICE R.MALA

C.R.P.(PD).No.2738 of 2015

V.S.Veerasamy

..Petitioner

/vs/

1.H.Samson @ Samson Chandradas
S/o.A.Hendrics Samuvel,
Rep. Cherran Region Charitable
and Service Trust for Disabled,
No.9, Grey Town,
Coimbatore - 641 018.

2.Lakshmi

3.V.Sundarraaj

4.A.Subbulakshmi

..Respondents

PRAYER :Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the learned Additional Subordinate Judge, Coimbatore to dispose of the suit in O.S.No.68 of 2012 within the stipulated period as may be fixed by this Hon'ble Court.

(Cause Title and Prayer amended as per the order dated 24.11.2015 made in M.P.No.1 of 2015 in C.R.P.(PD)No.2738 of 2015)

For Petitioner : Mr.V.Sivakumar

ORDER

This Civil Revision Petition has been filed to direct the learned Additional Subordinate Judge, Coimbatore to dispose of the suit in O.S.No.68 of 2012 within the stipulated period.

2.Learned counsel for the petitioner submitted that originally the petitioner as a plaintiff filed a suit in O.S.No.620 of 2005 on the file of the Principal Subordinate Court, Coimbatore for permanent injunction. Pending suit, the petitioner/plaintiff filed an application in I.A.No.639 of 2005 for interim injunction restraining the defendants therein not to encumber the suit property. After hearing both sides, the Trial Court allowed the application. Aggrieved over the same, the defendants/respondents preferred an appeal in C.M.A.No.7 of 2006 on the file of the Principal District Court, Coimbatore and the same was allowed. Against which, the petitioner/plaintiff filed a revision petition before this Court in C.R.P.No.2598 of 2007. This Court on 20.09.2007 dismissed the said Civil Revision Petition and directed the Trial Court to dispose of the main suit within three months from the date of receipt of a copy of that order. Subsequently, the suit in O.S.No.620 of 2005 has been transferred to the file of the II Additional Subordinate Court, Coimbatore and re-numbered as O.S.No.68 of 2012. He would further submitted that even though written statement has been filed and issues were framed, the suit is

yet to be disposed of. Hence, he pray for early disposal of the suit in O.S.No.68 of 2012.

3.Heard the learned counsel for the petitioner and perused the typed set of papers. Considering the limited nature of the relief as sought for herein, notice to the respondents is dispensed with.

4.Considering the submission made by the learned counsel for the revision petitioner, the prayer sought for is to early disposal of the suit in O.S.No.68 of 2012 on the file of the II Additional Subordinate Court, Coimbatore, I am of the view that it is a fit case to direct the trial Court to dispose of the suit in O.S.No.68 of 2012 as early as possible. Accordingly, the Presiding Officer, II Additional Subordinate Court, Coimbatore, is directed to dispose of O.S.No.68 of 2012 within six months from the date of receipt of a copy of this order.

5.With the above direction, this Civil Revision Petition is disposed of. No costs.

27.11.2015

Index: Yes/No
Internet:Yes/No
cse

R.MALA, J.

cse

To
The II Additional Subordinate Court, Coimbatore.

C.R.P(PD)No.4218 of 2015

27.11.2015