

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :29.07.2015

CORAM

THE HONOURABLE MR. JUSTICE M. DURAISWAMY

C.R.P.(PD)No.3080 of 2015

Bharati Airtel Ltd.,
(Now known as M/s.Indus Towers Ltd),
Oceanic Towers,
101, Santhome High Road,
Chennai – 600 028.

... Petitioner

v.

A.Abdul Rahim

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India, to direct a speedy and time bound disposal of the proceedings in relation to I.A.No.1356 of 2015 in O.S.No.1745 of 2010 on the file of the District Munsif, Coimbatore.

For Petitioner : Ms.S.P.Arthi

O R D E R

The defendant in O.S.No.1745 of 2010 on the file of the District Munsif, Coimbatore, has filed the above Civil Revision Petition to direct the Trial Court to dispose of the application in I.A.No.1356 of 2015 in O.S.No.1745 of 2010, within a stipulated time.

2. The plaintiff filed the suit in O.S.No.1745 of 2010 for mandatory injunction. Since the defendants failed to appear before the Trial Court, an ex-parte order was passed against them on 7.2.2011. Thereafter, the defendants filed an application in I.A.No.1356 of 2015 to condone the delay of 1288 days in filing the petition to set aside the ex-parte decree.

3. The learned counsel appearing for the revision petitioner submitted that the Trial Court may be directed to dispose of the application, within a stipulated time. Further, the learned counsel submitted that this court by order dated 3.6.2015, in C.R.P.(NPD)No.2076 of 2015, directed the District Munsif Court, Coimbatore to dispose of the Execution Petition in E.P.R.No.36 of 2012 in O.S.No.1745 of 2010 within a period of three months from the date of receipt of a copy of that order. Further, the learned counsel submitted that the Execution Court has reserved the matter for passing orders.

4. Having regard to the submission made by the learned counsel appearing for the revision petitioner and also taking into consideration the limited prayer sought for in the Civil Revision Petition, without expressing any opinion with regard to the merits of the case, I direct the District Munsif Court, Coimbatore to dispose of the application in I.A.No.1356 of 2015 in O.S.No.1745 of 2010, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

With this observation, the Civil Revision Petition is disposed of. No costs.

Index : No
Internet : Yes

29.07.2015

Note : Issue copy of the order by 31.07.2015
Rj

To

The_ District Munsif Court,
Coimbatore,

M. DURAISWAMY,J.,

Rj

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