

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2015

CORAM:

THE HON'BLE MR. JUSTICE D.HARIPARANTHAMAN

C.R.P.No.3232 of 2015
and
M.P.No.1 of 2015

1.R.Krishnamurthy

2.K.Sujatha

...Petitioners/Petitioners/Defendants

Vs.

G.Jayalakshmi

...Respondent/Respondent/Plaintiff

Prayer:

Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decreetal order dated 16.07.2015 made in Tr.O.P.No.115 of 2015 on the file of the Principal Judge, City Civil Court, Chennai.

For Petitioners : Mrs.Srividhya Aravindan

For Respondent : Mr.P.Muthusamy

O R D E R

The respondent herein is the plaintiff in O.S.No.3559 of 2004 pending on the file of the II Additional Judge, City Civil Court, Chennai and the revision petitioners are the defendants in the said suit.

2. The learned counsel for the revision petitioners would submit that an order dated 16.07.2015 was passed by the learned Principal Judge, City Civil Court, Chennai in Tr.O.P.No.115 of 2015 refusing to transfer O.S.No.3559 of 2004 from the file of the II Additional City Civil Court to any other Assistant Court having pecuniary jurisdiction, on the ground that an order dated 25.07.2013 was passed in CRP(NPD).No.3253 of 2013 directing the II Additional District Judge to dispose of the suit within a time limit.

3. The learned counsel appearing for the respondent/plaintiff has fairly submitted that due to enhancement of pecuniary jurisdiction, now the suit has to be tried by the Assistant Court and hence, the order of the learned Principal Judge, City Civil Court, Chennai can be set aside and a direction can be issued to the learned Principal Judge, City Civil Court, Chennai to allot the suit in O.S.No.3559 of 2004 to any Assistant Judge to try the suit.

4. In the aforesaid facts and circumstances, I direct the learned Principal Judge, City Civil Court, Chennai to allot the suit in O.S.No.3559 of 2004 to some Assistant Judge, City Civil Court, Chennai to try and dispose of the same. Further, the concerned Assistant Judge, City Civil Court, Chennai is directed to dispose of the suit in O.S.No.3559 of 2004 as expeditiously as possible, since this Court by an order dated 25.07.2013 made in CRP(NPD).No.3253 of 2013 had issued a direction to the Trial Court to dispose of the suit within three months.

5. The Civil Revision Petition is allowed with the above directions. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Judge,
City Civil Court, Chennai.

2. The Assistant Judge,
City Civil Court,
Chennai.

1 CC to Mr.P.Muthusamy, Advocate SR.No. 41292

1 CC to Mr.M.Aravindan, Advocate SR.No. 41404

C.R.P.No.3232 of 2015

RJ (CO)
PSI (14.08.2015)



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