

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.12.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAIWAMY

C.R.P.(PD).No.4406 of 2015
and M.P.No.1 of 2015

1.P.Sarasagopal
2.S.Arun Kumar
3.R.Easwaran
4.N.K.Elumalai
5.K.Murugesan
6.K.Shanmugham
7.N.K.Devadass
8.M.Bhuvaneswari @ Boolagammal
9.Ponnammal
10.Gopal Chettiar
11.Krishnan Chettiar
12.Kannan Chettiar
13.Ravi Chettiar
14.Arumugha Chettiar
15.Valli @ Andal
16.D.Madurai Chettiar
17.D.Arumugha Chettiar
18.Ammami Ammal
19.N.B.Krishnappa Chettiar
20.Vasantha alias Vasuki
21.P.Kalavathy
(Petitioners 4 to 21 represented by their Power of Attorney Agent
P.Sarasagopal.)

... Petitioners

Vs.

S.Srinivasa Rao

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India against the Docket order dated 29.09.2015 made by the Principal Sub Judge, Chengalpattu in O.S.No.257 of 2008 in the memo dated 11.07.2015 filed by the petitioners/defendants.

For Petitioners : Mr.P.J.George

For Respondent : Mr.S.Ramesh

ORDER

Challenging the order passed in the Memo filed by the revision petitioners in SR.No.6538 of 2015 in O.S.No.257 of 2008 on the file of the Principal Sub Court, Chengalpattu, the petitioners have filed the above Civil Revision Petition.

2.The defendants filed a memo dated 11.07.2015 in Memo SR.No.6538 of 2015 stating that the plaintiff had obtained an order of stay and interim injunction in M.P.Nos.1 and 2 of 2007 in W.P.No.34873 of 2007 and that it would be inappropriate to ask for any further queries in respect of the revenue proceedings till clarification is obtained from this Court. The defendants also prayed the trial Court to adjourn the suit to a suitable date so that necessary clarification may be obtained from this Court.

3.The trial Court rejected the memo stating that the memo at this stage seeking clarification is not only unwarranted, but also delays the submission of

report by the Advocate Commissioner. Further, the trial Court observed that the order passed by this Court is very clear in its terms. Therefore, there is no necessity for clarifying further in the matter.

4. When the matter is taken up for hearing, the learned counsel on either side submitted that instead of deciding the correctness of the order passed by the trial Court in the memo, it would be suffice to direct the trial Court to dispose of the suit within a stipulated time.

5. In these circumstances, without expressing any opinion with regard to the merits of the case, I direct the Principal Sub Judge, Chengalpattu to dispose of the suit in O.S.No.257 of 2008, on merits and in accordance with law, within a period of four months from the date of receipt of a copy of this order.

6. With this observation, the Civil Revision Petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Index : No
Internet : Yes
va

16.12.2015

M.DURAIWAMY,J.
va

To

The Principal Sub Court,
Chengalpattu.

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