

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2015

CORAM

THE HONOURABLE MS.JUSTICE R.MALA

CRP [PD] No.4651/2015

1.Padmavathy
2.Suseela Devi

.. Petitioners/Defendants 1
& 3

Vs.

1.P.Ramasamy
2.Gurunathan
3.The District Collector
Salem District, Salem.
4.The District Revenue Officer [DRO]
Salem District, Salem.
5.The Revenue Divisional Officer
Salem.
6.The Tahsildar
Salem.
7.The Village Administrative Officer
Thathampatti, Allikuttai Block.
8.The Commissioner
Salem Municipal Corporation
Salem.
9.The Revenue Inspector
Ammapettai Zone, Salem.
10.The Superintending Engineer
Salem Distribution Circle
TNEB, Udayapatti Post, Salem.
11.The Executive Engineer
East Operation & Maintenance
TNEB, Udayapatti Post, Salem.
12.The Assistant Executive Engineer
TNEB, Udayapatti Post, Salem.

.. 1st Respondent/Plaintiff

13.The Assistant Executive Engineer
East Operation and Maintenance
Thathampatti Post, Salem.

14.The Manager
TASMAC, Sandiyoor
Attampatti, Sandiyoor, Salem.

.. Respondents/Defendants 2 & 4
to 15

Civil Revision Petition filed under Article 227 of the Constitution of India
praying for a direction to the Subordinate Judge, Salem to dispose of the Suit on
OS.No.97/2012.

For Petitioner : Mr.S.Ramesh

ORDER

The petitioners/defendants 1 and 3 in OS.No.97/2012 on the file of the
learned I Additional Subordinate Judge, Salem, has come forward with the
above Civil Revision Petition for the early disposal of the said suit stating that the
1st respondent/plaintiff filed the suit for declaration of title and also for
consequential injunction and other consequential reliefs.

2 The petitioners herein/defendants 1 and 3 have earlier filed two
suits in OS.Nos.478/1998 and 780/1999 and the said suits were decreed. The
present suit has been filed by the 1st respondent/plaintiff with a view to defeat
the rights of the petitioners/defendants 1 and 3. It is submitted by the learned
counsel for the petitioners that even though the written statement has been filed

in the year 2012, the suit is yet to be disposed of and when the matter was posted for defence side witnesses, an application to reopen under Order 16 Rule 7 has been filed in IA.Nos.148 & 149/2015 and the same are pending and hence, the suit has been periodically adjourned without disposing of the same. Hence, the learned counsel prayed for the earlier disposal of the suit.

2 Since the Civil Revision Petition is disposed of at the admission stage as the prayer sought for by the petitioner is limited in nature, notice to the respondents is hereby dispensed with.

3 Considering the argument advanced by the learned counsel for the petitioners and also perusal of the typed set of papers, this Court is of the view that it is fit case to direct the Trial Court to dispose of the suit as expeditiously as possible.

4 Accordingly, the learned I Additional Subordinate Judge, Salem, is hereby directed to dispose of IA.Nos.148 & 149/2015 within a period of one month from the date of receipt of a copy of this order and also dispose of the suit in OS.No.97/2012 within a period of three months from the date of disposal of IA.Nos.148 & 149/2015.

R.MALA, J.
AP

5 The Civil Revision Petition is disposed of with the above direction.

No costs.

10.12.2015

AP

To

- 1.The I Additional Sub Judge
Salem.
- 2.The District Collector
Salem District, Salem.
- 3.The District Revenue Officer [DRO]
Salem District, Salem.
- 4.The Revenue Divisional Officer
Salem.
- 5.The Tahsildar
Salem.
- 6.The Village Administrative Officer
Thathampatti, Allikuttai Block.
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Salem Municipal Corporation
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East Operation and Maintenance
Thathampatti Post, Salem.
- 13.The Manager
TASMAC, Sandiyoar, Attampatti, Sandiyoar, Salem.

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