

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 17.12.2015

CORAM

THE HONOURABLE Ms. JUSTICE R.MALA

C.R.P.(PD).No.4659 of 2015

R.Papammal

..Petitioner

/vs/

1.S.Rathinam

2.Selvan @ Selvamani

..Respondents

PRAYER :Civil Revision Petition is filed under Article 227 of the Constitution of India, to issue a direction directing the 1st Additional District Munsif Court, Coimbatore to try and dispose the suit in O.S.No.1816 of 2010 within a specified time limit.

For Petitioner : Mr.S.Selva Thirumurugan

ORDER

This Civil Revision Petition has been filed to direct the 1st Additional District Munsif Court, Coimbatore to try and dispose the suit in O.S.No.1816 of 2010 within a specified time limit.

2.Learned counsel for the petitioner submitted that the petitioner as a plaintiff filed a suit in O.S.No.1816 of 2010 on the file of the 1st Additional District Munsif Court, Coimbatore for recovery of possession. Ex-parte decree was passed and then the ex-parte decree was set aside. Written statement is yet to be filed by the defendants. Hence, he pray for a direction for early disposal of the suit.

3.Considered the submissions made by 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.The petitioner herein as a plaintiff filed a suit in O.S.No.1816 of 2010 for recovery of possession. The respondents/defendant entered appearance and has not filed the written statement. The defendants were set ex-parte, documents Exs.A1 to A10 were marked and when the matter was posted for judgment on 30.10.2014, application in I.A.No.3204 of 2014 under Order 9 Rule 7 of CPC has been filed and the same is pending. So, it is a fit case to direct for early disposal. Accordingly, the 1st Additional District Munsif Court, Coimbatore is directed to dispose of I.A.No.3204 of 2014 within one month from the date of receipt of a copy of this order and the Trial Court is also

directed to dispose of the suit in O.S.No.1816 of 2010 within six months from the date of receipt of a copy of this order after following the procedure laid down in Civil Procedure Code.

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

17.12.2015

Index: Yes/No
Internet:Yes/No
cse

To

The 1st Additional District Munsif Court, Coimbatore.

R.MALA, J.

cse

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