



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.DEVADASS

C.R.P. (PD) (MD) No.1782 of 2015

WEB COPY

Hari Govindaiyar Dharma Trust : Petitioner/Petitioner/Plaintiff
Chidambaram Represented by its
Managing Trustee R.K.Kamalakaran.

Vs.

1.Perumal
2.G.Venkatesan
3.G.Duraipandian
4.P.K.Mahendran : Respondents/Respondents/Defendants

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to direct the learned IV Additional District Judge, Madurai to expedite the proceedings pending trial in I.A.No.31 of 2014 in O.S.No.131 of 2014 and pass final order within a period stipulated by this Court as this Court may deem fit and proper.

For Petitioner : Mr.N.Sathish Babu

ORDER

In this Civil Revision Petition, early disposal of the application in I.A.No.31 of 2014 in O.S.No.131 of 2014 on the file of the learned IV Additional District Judge, Madurai is sought for.

2. Heard the learned counsel appearing for the petitioner.

3. O.S.No.131 of 2014 has been filed for declaring that the suit property belongs to the trust as per trust deed dated 09.03.1931 executed by Sri Hari Govindha Iyer and for consequential direction to the defendants to hand over the possession of the suit property without any let or hindrance to the plaintiff. The said suit was filed along with interlocutory application praying to pass an order to direct the respondents to deposit Rs.38,000/- per month towards arrears from November 2005, until the disposal of the main suit.

4. The learned counsel would submit that in the said Interlocutory Application, notice was ordered on 22.01.2015 and thereafter, there is no progress. The learned counsel would also submit that the respondent without contesting the suit, filed Civil Revision Petition in CRP(MD) No.2140 of 2015 praying to strike off the plaint in O.S.NO.131 of 2014 and the same was dismissed on 27.07.2015 and after lapse of one year, no significant progress has been made in the Interlocutory Application due to the delaying tactics adopted by the respondents.

5.The petitioner is asking a minimum relief namely, speedy disposal. The respondents are going to be affected by this.

6. In the circumstances, the learned IV Additional District Judge, Madurai, is directed to dispose of I.A.No.31 of 2014 in O.S.No.131 of 2014 in a manner known to law at an early date after giving reasonable opportunity to both sides preferably within one month from the date of receipt of a copy of this order. Accordingly, this civil revision petition is disposed of. No costs.

Sd/-

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

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To,

1.The Principal District Judge,
Madurai.

2.The IV Additional District Judge,
Madurai.

+one cc to Mr.N.Sathish Babu, Advocate in SR.No.52081

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CSL/NGM-SS/15.09.2015
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