



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.02.2015
CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

WEB COPY

CRP(MD).No.242 of 2015

S. Thavamani : Petitioner

Vs.

Kannammal (died)
V. Shanmuga Ganesan (died)

1. V. Rajeswaran
Son of G.Veerarasamy(died)
2. P. Selvaraj : Respondents

Prayer: This Civil Revision Petition is praying to expedite the proceedings in A.S.No.43 of 2008 on the file of the Sub Court, Palani against the judgment and decree passed in O.S.No.193 of 2003 dated 31.01.2008 within the time limit fixed by this Hon'ble Court.

For Petitioner : Mr. R. Saravanan

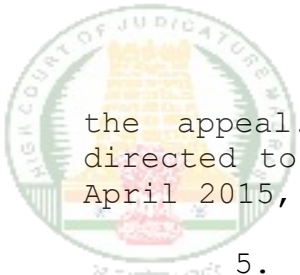
O R D E R

The revision petitioner is the defendant in O.S.No.193 of 2003 and respondent in A.S.No.43 of 2008.

2. Originally the Suit in O.S.No.193 of 2003 on the file of the learned District Munsif Court, Palani was filed for declaration of title and for bare injunction and the same came to be dismissed on 31.01.2008. Aggrieved by the same the Appeal has been filed and it was numbered as A.S.No.43 of 2008. The respondents were also served as early as on 13.10.2008. The records from the Lower Court was received on 20.12.2008. Thereafter, for the last six years, though the appeal has been posted under the caption for arguments, it is complained by the revision petitioner herein that it is not taken for arguments. In view of the pendency of the appeal, the petitioner herein claims to have been put to great hardship. Therefore, the revision is filed for seeking a direction to the Sub Court, Palani to expedite the trial.

3. Considering the limited prayer sought for by the petitioner no notice is issued to the respondents. From the "B" diary it is evident that the learned Subordinate Judge, Palani adjourning the matter for the last six years without any reason. In an appeal excepting the arguments to be heard from the counsels there is no other exercise like examining the parties. In such circumstances, without any reason the learned Subordinate Judge, Palani has been adjourning the matter "for arguments".

4. Even when both the parties are ready, the learned Subordinate Judge, Palani is adjourning the matter. Therefore, this Court feels that in the interest of justice a time frame may be fixed for the disposal of



the appeal. Accordingly, the learned Subordinate Judge, Palani is directed to dispose of the appeal in A.S.No.43 of 2008 on or before 31st April 2015, without seeking further extension of time.

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

Sd/-

Assistant Registrar(Per.Admn)

\\True copy\\

Sub Assistant Registrar

To

The learned Subordinate Judge, Palani

+1 CC TO M/S.R.SARAVANAN, ADVOCATE S.NO.7251

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