



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2015

CORAM:

THE HONOURABLE MR.JUSTICE T.MATHIVANAN

C.R.P (MD) No.2714 of 2015

Sundararaj

.. Petitioner

Vs.

Muthusavari (died)

Sesuraj (died)

1.Sundaram

2.Savariammal

3.Sesumari

4.Kulanthai Therasu

5.Borjia

6.Velankanni

7.Anthony Doss

.. Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the District Munsif cum Judicial Magistrate, Vedachandur to dispose the suit in O.S.No.93 of 2004, within a time frame, as may be fixed by this Court.

For Petitioner : Mr.D.Venkatesh

ORDER

Invoking the provisions of Article 227 of the Constitution of India, the revision petitioner, who is the plaintiff in the suit in O.S.No.93 of 2004, has approached this Court with this Civil Revision Petition, seeking a direction to the learned District Munsif cum Judicial Magistrate, Vedachandur to dispose of the suit in O.S.No.93 of 2004 within a time frame, which may be fixed by this Court.

2. This revision petitioner in his affidavit, which is filed in support of the petition, has stated that during the pendency of the suit, both the defendants had passed away. On account of this reason, an application in I.A.No.245 of 2014 was filed to bring the proposed defendants 4 to 9 on record, as the legal representatives of the deceased fourth defendant. But that application is still pending either without any progress or without assigning any reason. Therefore, this revision is filed.

3. Heard Mr.D.Venkatesh, learned counsel appearing for the revision petitioner and also perused the averments made in the affidavit filed in support of the petition as well as the grounds of the revision petition.

<https://hcservices.courts.gov.in/hcservices/> Considering the facts and circumstances, this Court finds that to meet the ends of justice, a direction may be given to the trial court to dispose of the suit. Further this Court also finds that the interlocutory



application in I.A.No.245 of 2014 operates as an obstacle to the progress of the suit.

5. Therefore, the learned trial Judge/District Munsif cum Judicial Magistrate, Vedachandur is hereby directed to take up the I.A.No.245 of 2014 and dispose the same within a period of two weeks from the date of receipt of a copy of this order and then proceed to dispose the suit in O.S.No.93 of 2004 within four months thereafter.

6. With the above directions, this Civil Revision Petition is disposed of. However, there shall be no orders as to costs.

Sd/-

Assistant Registrar.

/True Copy/

Sub Assistant Registrar.

To
The District Munsif cum Judicial Magistrate,
Vedachandur,
Dindigul District.

+1CC to Mr.D.Venkatesh, Advocate, SR.No. 76175.

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AM/04.01.2016/GSV.AN/SAR-I/2P/3C