



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2015

CORAM:

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

C.R.P. (MD) .No.288 of 2015

WEB COPY

1.C.Ponraj
2.Jeyarathi ... Revision Petitioners (Defendants 2 & 3

vs.

1.Ramabai
2.M.Chidambaram (died)
3.Athimamunivar Samudaya Trust,
Keezha Theru, Kattabomman Junction,
Nagercoil rep.,
by its Trustees.

4.S.Govindaswamy
5.P.Annadurai ... Respondents/Plaintiff & Defendants 1,4 to 6

PRAYER: This Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned I Additional Subordinate Judge, Nagercoil to expedite the trial in O.S.No.407 of 2010 and pass judgment and decree thereon with a reasonable time period.

For Petitioner : Mr.C.Murugavel

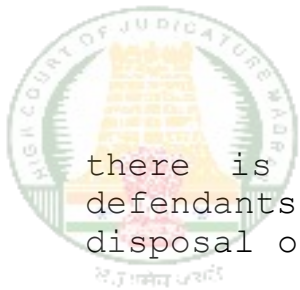
ORDER

The second and third defendants have filed the above revision seeking for a direction to dispose of the suit in O.S.No.407 of 2010 on the file of the I Additional Subordinate Court, Nagercoil.

2.No notice is necessary to the respondents as this Court intends to direct the trial Court to dispose of the suit at the earliest and it would not cause any prejudice to the respondents.

3.The sit in O.S.No.407 of 2010 is filed by the plaintiff to declare that she is a permanent lessee and to declare that the plaintiff's title over the super structure and for several other consequential reliefs including injunction.

4.The written statement by the defendants have been filed and issues were framed from 2012 itself. The trial has commenced during December 2012 and the plaintiff's side evidence was over and the defendant's side evidence is in progress. D.W.1 is in the box from 16.06.2014, the matter was adjourned for more than 15 hearings for continuation of cross examination of D.W.1 by the plaintiff. As



there is no progress in the case, the first and the second defendants have come with the above revision seeking for speedy disposal of the suit.

5. The suit itself is of the year 2010 and for examination of one witness, the trial Court has taken more than one year, which cannot be accepted. Therefore, this Court is inclined to direct the I Additional Subordinate Court, Nagercoil to dispose of the suit in O.S.No.407 of 2010 on merits and in accordance with law, on or before 31st December 2015.

With the above direction, the civil revision petition is disposed of. No costs.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

The I Additional Subordinate Judge,
Nagercoil.

+1cc to Mr. N.Dilip Kumar, Advocate Sr.no.13070

ns

AA/31.03.2015/2p-3c/

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