



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2015

CORAM:

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

C.R.P. (MD).No.467 of 2015 (PD)

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Manjikamathevar ... Revision Petitioner/1st Respondent/Plaintiff

vs.

1.S.Kadavul ...1st Respondent/Petitioner/3rd defendant

2.Muthaiah

3.Rajeshwari

4.Dhamodharan

..Respondents 2 to 4/Defendants 2 to 4

5.C.Pradeep Kumar

6.C.Premkumar

7.A.Chellapandi

8.M.Asokhkumar

9.M.Arunkumar

10.Papathiammal

11.Dhavaselvi

12.Packiyalakshmi ... Respondents 5 to 12/Proposed Parties

PRAYER: This Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the District Munsif Court, Theni to dispose of the petition in I.A.No.500 of 2014 in O.S.No.41 of 2014 within a definite time framed by this Court.

For Petitioners : Mr.A.Arumugam

O R D E R

This revision has been filed by the plaintiff in O.S.No.41 of 2014, which has been filed for a bare injunction on the file of the District Munsif, Theni, seeking a direction for speedy disposal of I.A.No.500 of 2014.

2.The said I.A has been filed at the instance of the third defendant for impleadment of proposed parties 5 to 12. In the said application notice was issued on 25.09.2014 and till today, notice was not served on the proposed parties by the third defendant, which is causing delay in the main suit.

3.The learned counsel for the petitioner also contends that the proposed parties are closely related to the third defendant. Deliberately he has taken time for serving notice, the plaintiff being a *Dominus litus* is entitled to challenge the said application. However, aggrieved by the said delay caused due to service of notice in the frivolous application filed by the third defendant in a suit for injunction, the revision has been filed seeking a direction for speedy disposal.

4.As it is only a disposal of I.A has been sought for in this revision, this Court directs the District Munsif, Theni to dispose of the I.A.500 of 2014 in O.S.No.41 of 2014 on merits and in accordance with law, on or before 30.06.2015.



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

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/True copy/

Sd/-
Assistant Registrar (CO)

Sub Assistant Registrar

To
The District Munsif, Theni.

+1cc to M/S.AJMAL ASSOCIATES, ADVOCATE IN SR : 12110

Ns
SR : 17.03.2015 : 2p/3c

C.R.P. (MD) .No.467 of 2015
12.03.2015