



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2015

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

C.R.P. (PD) (MD) No.57 of 2015

Dr. (Mrs).Vasanth Elango : Petitioner/Plaintiff

Vs.

1.Dr.(Mr.)Vijayakumar Chellaiah
2.Mr.C.J.Anugraham
3.Mrs.Aruna Joseph
4.Mr.K.Thangaiah
5.Mr.T.Suresh Thangaiah
6.Mr.T.Naveen Thangaiah
7.Mr.T.Sandeep Thangaiah
8.Mrs.Mary Gnanaparanam : Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to direct the Trial Court to dispose the suit as expeditiously as possible in O.S.No.431 of 2011 on the file of the Third Additional Sub Court, Madurai.

For Petitioner : Mr.M.Punitha Deva Kumar

ORDER

This revision is filed seeking a direction to the Trial Court to dispose of the suit in O.S.No.431 of 2011 on the file of the Third Additional Sub Court, Madurai.

2. The grievance of the plaintiff is that though notice has been served on the defendants even in the year 2011 itself and the defendants have entered appearance through counsel, till today, no written statement has been filed by them. The plaintiff is an old lady who wants to see the result of the suit. Despite several adjournments for the last four years, there was no progress in the suit. A copy application for a certified copy of the plaint with docket orders was applied for by the counsel, which was returned by the office, stating that issues had not yet been framed in the suit. Hence, 'B' Diary can be issued only after issues are framed. Even from the above endorsement, it is seen that written statement had not been filed by the defendants, as issues can be framed only after the filing of the written statement. There is no reason why the suit has been adjourned time and again by the learned Trial Judge.



3. In the above circumstances, the learned Third Additional Sub Judge, Madurai is directed to give an explanation to this Court as to why the suit in O.S.No.431 of 2011 is pending for the last four years. However, the learned Third Additional Sub Judge, Madurai, is directed to dispose of the suit in O.S.No.431 of 2011, on merits and as per law, on or before 30 September, 2015 and report compliance to this Court.

4. The Civil Revision Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub-Assistant Registrar

To

The Third Additional Sub Judge, Madurai.

+1cc to Mr.M.Punitha Deva Kumar, Advocate, in SR. No.2972.

Copy to: The Section Officer, V.R.Section,
Madurai Bench of Madras High Court, Madurai.

Order made in
C.R.P. (PD) (MD) No.57 of 2015
Dated:20.01.2015

SML

msm 13.02.2015 p2/4c