



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 30.01.2015

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

C.R.P(PD) (MD)Nos.74 and 75 of 2015

S.Priya

..Petitioner in both C.R.Ps'/Plaintiff

Vs.

1.Subathra Krishnan

2.Rokith Krishnan, minor

represented by his mother and natural guardian,

the first respondent herein. ..Respondents in both C.R.Ps'/Defendants

COMMON PRAYER: Civil Revision PetitionS filed under Article 227 of the Constitution of India praying this Court to direct the Lower Court for expeditious disposal of I.A.No.63 of 2014 in O.S.No.115 of 2014, and I.A.No.785 of 2014 in O.S.No.115 of 2014 respectively on the file of the III Additional District Munsif Court, Tiruchirappalli within the time stipulated by this Court.

For Petitioner :M/s.J.Maria Roseline  
in both C.R.Ps'

#### COMMON ORDER

The revision Petitioner as plaintiff has filed the above suit in O.S.No.115 of 2014 for mandatory injunction seeking for removal of the offending constructions over a lane which is a common lane and for the relief of permanent injunction.

2.The revision Petitioner claims to be the owner of the property. The respondents herein are the purchasers of the adjacent property and they are hurriedly putting up constructions over the said common lane. If the respondents are allowed to proceed with the construction, it will block the pathway and the revision Petitioner/Plaintiff cannot reach her house. Therefore the suit was filed by the plaintiff for the relief of mandatory injunction and permanent injunction along with I.A.No.63 of 2014 and I.A.No.785 of 2014 for the relief of injunction and mandatory injunction. Though the said applications were filed as early as on 29.01.2014 and counter has also been filed by the defendants in the month of March 2014, the said applications have been adjourned by the trial Court time and again without passing any order. Therefore the Petitioner has come forward with the above revision Petitions seeking direction to the trial Court to dispose of the I.As within the stipulated time.

3.On the day, when the matter is posted for admission, it was represented that both the applications were posted on 27.1.2015. With the fond hope that the enquiry would have been conducted and orders have been passed, it was adjourned to today. But the learned counsel for the Petitioner represents that even on 27.1.2015, the said applications were set aside in a mechanical manner without considering the urgency expressed by the revision Petitioner.



4.Considering the urgency in the matters and also that the applications have been pending for more than a year, this Court is inclined to direct the III Additional District Munsif, Tiruchirappalli to dispose of the applications in I.A.No.63 of 2014 and I.A.No.785 of 2014 in O.S.No.115 of 2014 on or before 30.04.2015.

5.With the above direction, the Civil Revision Petitions are disposed of. No costs.

Sd/-

Assistant Registrar(Writs)

/True copy/

Sub Assistant Registrar

To

The III Additional District Munsif,  
Tiruchirappalli.

+1CC to M/s.J.Maria Roseline, Advocate in SR.4262

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30.01.2015

vsn

PBK 14/02/2015 ::2P-3C: