

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2016

CORAM

THE HONOURABLE MR. JUSTICE C.T.SELVAM

C.R.P. (PD) No.1543 of 2016

and

C.M.P.No.8388 of 2016

1.V.P.Kalavathi

2.S.Manoj

.... Petitioners

Versus

1.V.P.Sarojini

V.P.Muthuamy (died)

V.P.Kumaravelu (died)

2.V.P.Natarajan

V.P.Murugesan (died)

V.P.Nehrupadma (died)

3.R.Mahalingam

4.R.M.Senthil

5.R.M.Kaleeswari

6.R.M.Nagadevi

7.The Commissioner,

Coimbatore City Municipal Corporation,

Coimbatore-641 001, Coimbatore City.

8.R.Lalithakumari

V.P.K.Ashokan (died)

9.V.P.K.Alagesan

10.V.P.L.Arthanareeswaran

11.V.P.K.Arun Kalimuthu

12.Jamuna Rani

13.Anandhi

14.K.A.Rajesh

15.V.P.M.Arunagiri Raj

16.M.Aruchelvi

17.M.Ananda Raju

18.M.Sarojini

19.M.Chitra  
 20.M.Sunitha  
 21.M.Anuradha

22.M.Hema

23.M.Suguna

24.K.S.Anandharajan

25.K.S.Shantha Devi

.... Respondents

Civil Revision Petition filed under Article 227 of Constitution of India praying to set aside the fair and decretal order dated 07.10.2015 in I.A. No.2356 of 2012 in O.S. No.1281 of 2012 on the file of the Principal District Munsif, Coimbatore.

For Petitioners : Mr.L.Mouli

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### **ORDER**

This revision challenges the order of learned Principal District Munsif, Coimbatore, passed in I.A. No.2356 of 2012 in O.S. No.1281 of 2012 on 07.10.2015.

2. Heard learned counsel for petitioners.

3. The plaintiff has moved the said application I.A. No.2356 of 2012 in O.S. No.1281 of 2012 towards setting aside the abatement of the suit and to bring on record the legal heirs of the deceased parties. Such application has been allowed on the reasoning that there was much delay owing to transfer of the case resulting in the same not being posted before Court over a long period.

4. It is the contention of learned counsel for petitioners that in allowing the application, the Court below has taken a view that much inconvenience has been caused to defendants 6 and 11/petitioners herein owing to enormous delay and merely directed payment of costs.

5. On a perusal of the order under challenge, this Court is unable to accept the contention of learned counsel for petitioners that the plaintiff has abandoned the suit and thereafter moved an application only towards keeping the action alive against defendants 1, 2, 5 and 14. This Court finds no reason to interfere with the order under challenge.

6. Taking note the submission of the learned counsel for petitioners and that the Original Suit has been filed in the year 2012, this Court directs the learned Principal District Munsif, Coimbatore, to dispose of the suit in O.S.No.1281 of 2012, as expeditiously as possible, in any event, within a period of three months from the date of receipt of a copy of this order.

7. The Civil Revision Petition is dismissed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

07.06.2016

vga

C.T.SELVAM, J.

vga

To

The Principal District Munsif, Coimbatore.

C.R.P. (PD) No.1543 of 2016

07.06.2016