

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:- 04.10.2016

CORAM

THE HON'BLE MR. JUSTICE T. MATHIVANAN

Civil Revision Petition (PD) No. 1806 of 2012

Ms. R. Rathidevi,
W/o. Ramesh
No.8, Maniammai Nagar,
Dharapuram Town,
Tiruppur District.

... Petitioner/ Plaintiff

Versus

1. The Executirve Engineer,
Tamil Nadu Electricity Board,
Dharapuram,
Tiruppur District,

2. The Assistant Executive Engineer (East),
Tamil Nadu Electricity Board,
Dharapuram,
Tiruppur District,

3. The Junior Engineer (Gramiam),
Tamil Nadu Electricity Board,
Dharapuram,
Tiruppur District,

4. T. Nagaraj
S/o. Thangamuthu Goundar,
No.152, Natchimuthu Pudur,
Dharapuram Town
Tiruppur District.

... Respondent/ Dependents

Prayer:

Civil Revision is filed to direct the District Munisif at Dharapuram, Tiruppur District to dispose the IA No. 335 of 2011 in O.S. No.114 of 2011.

For petitioner : Mr. M. Murugesan, Learned Counsel,

For Respondents : Mr. V. Viswanathan for R1 to R3
Mr. V. Raghunathan
and
for Mr. S. Dhanasekaran for R4

ORDER

Invoking the supervisory jurisdiction of this Court under Article 227 of the Constitution of India, this Revision Petition is filed by the petitioner/plaintiff seeking a direction to the Learned District Munisif of Dharapuram to dispose the application in IA No.335 of 2011 in O.S. No. 114 of 2011.

2. The petitioner herein has filed a suit in O.S. No. 114 of 2011 on the file of the Learned District Munisif, Dharapuram as against the respondents 1 to 4 herein seeking the relief of permanent injunction as against the Respondent 1 to 3 restraining them from erecting electric poles and drawing new electric line in the first item of suit property and also to restrain them from effecting new service connection either in the name of 4th respondent or in the name of some other persons in respect of second item of the suit property.

3. Along with the suit she has also filed an application in I.A. No. 335 of 2011 under Order 39 Rule 1 and 2 seeking the relief of add interim injunction for the above said purpose.

4. According to Mr. M. Murugesan, the suit was filed in the year 2011 and besides the suit in O.S. No.114 of 2011 which is filed by the petitioner/ plaintiff, other 3 suits in O.S. No.168 of 2010, 275 of 2010 and 375/2010 are pending on the file of the Learned District Munisif, Dharapuram. He has also adverted to that without considering the urgency in this matter, the Learned District Munisif has been adjourning the application in I.A. No. 335 of 2011 periodically without passing any order and therefore the petitioner/ plaintiff has approached this Court with this Civil Revision Petition seeking a direction to the Learned District Munisif, Dharapuram to give a speedy disposal to the above said inter locutory application.

5. Mr. V. Viswanathan, Learned Counsel for Respondents 1 to 3 and Mr. V. Raghunathan, Learned Counsel for R4 have no serious objection hence this Court finds that this Civil Revision may be disposed of as prayed for.

In the result:

Civil Revision is allowed. The Learned District Munisif, Dharapuram is directed to dispose the application in I.A. No. 335 of 2011 in O.S. No. 114 of 2011 as expeditiously as possible.

However there shall be no order has to cost.

04.10.2016

Index: Yes/ No

Internet: Yes/ No.

T. MATHIVANAN, J



Civil Revision Petitions (PD) No. 1806 of 2012

Against

I.A. No. 335 of 2011

in

OS No. 114 of 2011

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