

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Civil Revision Petition (PD) No.2704 of 2016

A.Bakthavatsalam
S/o.Arumuga Mudaliyar

... Petitioner

vs

1.M.Venkatachalam
S/o.Late Manicka Gounder

2.B.Soundarajan
S/o.Late Balakrishnan

3.M.Ravikumar
S/o.Mani

4.S.Munusamy
S/o.Samundi

5.M.Vanitha
W/o.S.Munusamy

6.M.Vijayababu
S/o.A.Bakthavatsalam

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India seeking a direction to learned Subordinate Judge, Mettur, to dispose to the suit pending in O.S.No.89 of 2011 within a time frame.

For Petitioner : Mr.M.R.Thangavel

ORDER

Petitioner seeks a direction to learned Subordinate Judge, Mettur, to dispose of O.S.No.89 of 2011 within a stipulated time.

2. Heard learned counsel for petitioner.

3. Learned counsel for petitioner refers to the record of adjudication in the case and submits that the first respondent/plaintiff, who has preferred O.S.No.89 of 2011 on the file of learned Subordinate Judge, Mettur, seeking setting aside of sale deed dated 07.09.2001 registered as Document No.2776 of 2001 on the file of the Sub Registrar, Omalur and other consequential reliefs, allowed the suit to be dismissed for default on 08.03.2012 and thereafter, on his interlocutory application, the suit was restored on 22.08.2012. Though the suit was restored on 22.08.2012 and posted for trial on 20.09.2012, by recourse to moving repeated interlocutory applications, the suit has been kept pending.

4. On perusal of the papers, this Court finds merit in the submission of learned counsel for petitioner and accordingly, directs learned Subordinate Judge, Mettur, to dispose of pending interlocutory applications in the case within a period of one month from the date of receipt of this order. The Court

below is also directed to complete trial in the case and pronounce judgment therein within three months from the date of receipt of this order.

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

01.09.2016

Index:yes/no
Internet:yes
gm

To

The Subordinate Judge,
Mettur.

C.T.SELVAM, J

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