

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **01.12.2016**

CORAM:

THE HONOURABLE MR.**JUSTICE K.K.SASIDHARAN**

C.R.P.(P.D.) No.3156 of 2016

1.P.Gunasekaran

2.G.Maheshwari

...Petitioners

versus

1.Babu

2.The Executive Officer,
Kottivakkam Panchayat,
Kottivakkam, Chennai - 600 041.

3.The Block Development Officer,
St.Thomas Mount Panchayat Union Office,
Chittlapakkam, Chennai - 600 064.

4.Kaveri

...Respondents

PRAYER: Civil Revision Petitions filed under Article 227 of the Constitution of India, to direct the learned District Munsif, Alandur to dispose of the original suit in O.S.No.193 of 2005 on the file of the District Munsif Court.

For Petitioners : Mr.B.Vijay

For Respondents : Mr.N.Selvaraju for R1 and R4
Mr.S.Siva Shanmugasundaram for R3

ORDER

The petitioners are the plaintiffs in O.S.No.193 of 2005 on the file of the learned District Munsif, Alandur. The petitioners have come up with this Civil Revision Petition to fix an outer time limit for disposal of the Original Suit.

2. The suit was filed for declaration. According to the petitioners, the suit is kept pending, in view of the non-return of warrant by the Advocate Commissioner.

3. The learned counsel for respondents 1 and 4 submitted that the Taluk Surveyor failed to give assistance to the Commissioner and as such, warrant is kept pending. According to the learned counsel, the Trial Court would be in a position to commence the trial, the moment Advocate Commissioner submits his report.

4. The learned District Munsif, Alandur, is directed to issue direction to the Taluk Surveyor to grant necessary assistance to the Advocate Commissioner to inspect the suit property in question and submit a report in I.A.No.848 of 2014. The Trial Court shall fix 30 days' time to the Advocate Commissioner to return the warrant with the report.

5. There shall be a further direction to the learned District Munsif to dispose of the suit in O.S.No.193 of 2005 as expeditiously as possible, and in any case, within a period of six months from the date of receipt of a copy of this order.

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

01.12.2016

Index : Yes/No

svki

To

The District Munsif Court, Alandur

K.K.SASIDHARAN,J.

(svki)

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