

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:10.02.2016

CORAM:

THE HONOURABLE DR.JUSTICE S.VIMALA

CRP (PD) No.322 of 2016

Faathima Bi

.. Petitioner

Vs.

1. The Thasildar
Veppanthattai Taluk
Veppanthattai & Post
Perambalur District.
2. The State of Tamilnadu
Rep by the District Collector
Perambalur District
Perambalur.
3. Kamaal Baashaa
4. Muralitharan

.. Respondents

Revision Petition filed under Article 227 of the Constitution of India, praying for a direction to the learned District Munsif, Perambalur to dispose of the suit in O.S.No.139 of 2008 at an early date.

For Petitioners : Mr.S.Kamadevan

ORDER

This Civil Revision Petition has been filed by the petitioner, who is a senior citizen aged about 83 years, seeking direction to the learned District Munsif, Perambalur, to dispose of the suit in O.S.No.139 of 2008 at an early date.

2. During the pendency of the suit, on the death of the third defendant, an application has been taken out by the plaintiff to condone the delay of 180 days in filing the application to set aside the abatement along with applications to set aside the abatement and to bring the legal representatives of the deceased third defendant on record. These applications have been dealt with by the Court, one after the other consecutively. Section 5 application filed for condonation of delay has been allowed on 31.01.2014. Thereafter, the application to set aside the abatement was allowed on 31.07.2015. Still the application to implead the Legal Representatives is pending.

3. On a perusal of the notes paper, it is evident that no counter has been filed in all the three applications. In fact, endorsement has been made stating that the application in respect of condonation of delay can be allowed on terms as to costs. Under such circumstances, the Court ought not to have waited for years together to give a disposal on the three applications. The delay involved in dealing with all the three applications are unwarranted.

4. Therefore, the Court below is directed to dispose of the impleading application, within a period of one month from the date of receipt of a copy of this order. On impleadment, after giving opportunity to the newly impleaded parties, to file written statement/additional written

statement, if any, within a period of next one month, the trial Court is directed to dispose of the suit within a period of six months thereafter.

5. This Civil Revision Petition is disposed of with the above directions. No costs.

10.02.2016

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To

1. The Thasildar
Veppanthattai Taluk
Veppanthattai & Post
Perambalur District.
2. The District Collector,
Perambalur District,
Perambalur.

S.VIMALA.J

arr

CRP (PD) No.322 of 2016

05.06.2014