



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 30.06.2016

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.R.P. (MD) No.1327 of 2016 (PD)

Arockiyam

.. Petitioner

Vs.

Savariyappan

.. Respondent

Prayer: Petition filed under Article 227 of the Constitution of India, to direct the learned District Munsif, Sivagangai to dispose of I.A.No.321 of 1998 in O.S.No.357 of 1997 within the stipulated period.

For Petitioner : Mr.R.Rajaraman

ORDER

This revision is filed seeking for a direction to the learned District Munsif, Sivagangai to dispose of I.A.No.321 of 1998 in O.S.No.357 of 1997, within the stipulated period.

2.Heard Mr.R.Rajaraman, learned counsel appearing for the petitioner and perused the materials available on record.

3.The learned counsel for the petitioner would submit that the respondent filed a suit against the petitioner for specific performance and the petitioner is contesting the suit contending that the agreement is a forged one. Subsequently, he filed I.A.No.321 of 1998 under Order 26 Rule 9 and Section 151 and Section 45(12) of the Indian Evidence Act, to send the document for expert opinion, however the petition is being adjourned, without any progress for the past 7 years.

4.The learned counsel further submitted that the original sale agreement was marked in the connected suit, which was also disposed of by a Judgment and decree dated 17.09.2010, in favour of the petitioner and the interim application is adjourned only on the ground of awaiting records.

5.Considering the above fact, this Court directs the learned District Munsif, Sivagangai to dispose of I.A.No.321 of 1998 in O.S.No.357 of 1997, as expeditiously as possible preferably on or before 30.11.2016.



With the above direction, the civil revision petition is disposed of. No costs.

Sd/-

Assistant Registrar(AS)

WEB COPY

/True copy/

Sub Assistant Registrar

To

The District Munsif, Sivagangai.

+1 cc to M/s.R.Rajaraman, Advocate in SR.No.34262

NS

CSL/ARK-PV/SAR-I/13.07.2016 :2P/3C

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