



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.07.2016

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.R.P. (PD) (MD) No.1441 of 2016

1. K.Sankaralingam
2. P.Krishnan

... Petitioners/Respondents

Vs.

Tirunelveli Thowheed Trust,
Rep. by its Trustee,
Present Trustee,
K.Hayath Mohammed, S/o.Kamaludeen,
D.No.12,18th Cross Street, Maharajanagar,
Tirunelveli District.

... Respondent/Appellant

Prayer: Petition filed under Section 227 of Constitution of India to direct the Court below to dispose of the Appeal Suit in A.S.No.7 of 2016 on the file of the Principal Subordinate Court, Tirunelveli within a time limit that may be fixed by this Court by allowing this Civil Revision.

For Petitioners : Mr.D.Nallathambi

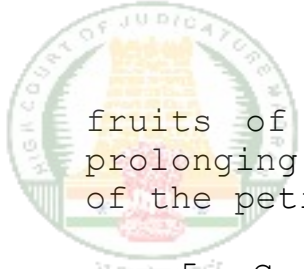
ORDER

This Revision is filed seeking a direction to the Principal Subordinate Court, Tirunelveli to dispose of the Appeal Suit in A.S.No.7 of 2016 within a time stipulated by this Court.

2. Heard the learned counsel for the petitioners and perused the records.

3. The learned counsel for the petitioners would submit that the petitioners instituted a suit in O.S.No.561 of 2006 before the District Munsif Court, Tirunelveli, against the respondent for permanent injunction. After contest, the suit was decreed on 27.07.2011. Aggrieved over the Judgment and Decree, the respondent preferred the appeal before the Principal Subordinate Court, Tirunelveli with a delay of 70 days. The delay was condoned by this Court in C.R.P.No.1493 of 2015 on 22.07.2015 and thereafter, the appeal is numbered.

<https://hcservices.courts.gov.in/hcservices>
4. The learned counsel for the petitioners would further submit that though the decree was passed in favour of the petitioners in the year 2011, they are not able to enjoy the



fruits of the decree and the respondent has been unnecessarily prolonging the litigation which causing prejudice to the interest of the petitioners.

5. Considering the above submissions and without going into the merits of the case, the Principal Subordinate Court, Tirunelveli is directed to dispose of the Appeal Suit in A.S.No.7 of 2016 as expeditiously as possible, preferably on or before 30.11.2016.

6. With the above directions, the Civil Revision Petition is disposed of. No costs.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar (CS)

To
The Principal Subordinate Judge,
Tirunelveli.

+1cc to Mr.D.Nallathambi, Advocate, Sr.No.39352

pmu

JM/ARK-PV/SAR-III/02.08.2016/2P-3C

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