



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.R.P (MD) No.1674 of 2016 (PD)

R.Govinda Raj

.. Petitioner/Plaintiff

Vs.

1.Subbaiah

2.Krishnan

3.Muthammal

4.Tulasi

.. Respondents/Defendants

Prayer : This Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the District Munsif cum Judicial Magistrate, Vendasandur to dispose of the suit in O.S.No.428 of 2012 on the file of the District Munsif cum Judicial Magistrate, Vendasandur, Dindigul District within the time frame fixed by this Court.

For Petitioner : Mr.G.Gomathi Sankar

ORDER

This revision is filed for a direction to the learned District Munsif cum Judicial Magistrate, Vendasandur, Dindigul District, to dispose of the suit in O.S.No.428 of 2012 within a time frame.

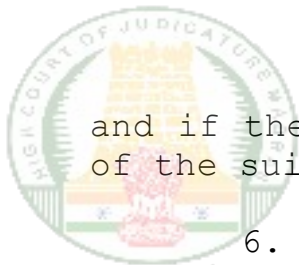
2. Heard the learned counsel for the petitioner and perused the records.

3. Mr.G.Gomathi Sankar, learned counsel for the petitioner would submit that the petitioner has instituted the suit against the respondents for declaration and for injunction. The entire evidence in the suit was over and the suit was in part-heard stage and is now posted for arguments.

4. The learned counsel would further submit that the impleading application filed by the third party has been dismissed and against that order a revision petition filed in C.R.P.(MD). No.596 of 2015 is pending. But, this Court has not granted any interim stay in the revision petition. Despite the same, the suit is being adjourned for more than one year without any progress.

<https://hcservices.ecourts.gov.in/hcservices/>

5. This Court has already issued a circular, stating that mere pendency of the revision is not a ground to adjourn the case



and if there is no stay, the Trial Court is at liberty to dispose of the suit.

6. Considering the above submissions of the learned counsel for the petitioner, this Court directs the learned District Munsif cum Judicial Magistrate, Veda sandur, to dispose of the suit in O.S.No.428 of 2012 as expeditiously as possible, preferably, within a period of two months from the date of receipt of a copy of this order.

7. With the above direction, this Civil Revision Petition is disposed of. However, there is no order as to costs.

Sd/-

Assistant Registrar(P&A)

/True copy/

Sub Assistant Registrar

To

The District Munsif cum Judicial Magistrate,
Veda sandur,
Dindigul District.

+1cc to Mr.G.Gomathi Sankar, Advocate SR.No.48707

pjl

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