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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.R.P (MD) No.1748 of 2016 (PD)

Jagadesan

.. Petitioner

Vs.

1.Chandru
2.Rengasamy
3.Hemalatha

.. Respondents

Prayer : This Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the II-Additional District Munsif Court, Trichirappalli to dispose of the Original Suit in O.S.No.1559 of 2004 on the file of the II-Additional District Munsif Court, Trichirappalli, within a time frame stipulated by this Court.

For Petitioner : Mr.P.Jayaprakash Narayan

ORDER

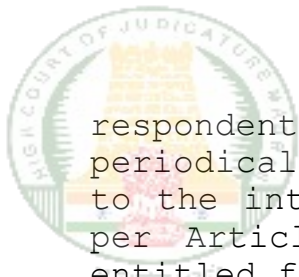
This revision is filed seeking for a direction to the II-Additional District Munsif Court, Trichirappalli, to dispose of O.S.No.1559 of 2004, within a time frame.

2. Heard the learned counsel for the petitioner and perused the materials available on record.

3. Mr.P.Jayaprakash Narayan, learned counsel for the petitioner would submit that the petitioner originally instituted a suit against the respondents in the year 2002 before the Sub Court, Trichy and the case was transferred to the II-Additional District Munsif Court, Trichy, on the ground of pecuniary jurisdiction and re-numbered in the year 2004. After the evidence of the plaintiff was over, the respondents examined witnesses and also attempted to mark an unregistered exchange deed. Since the document was insufficiently stamped, it was impounded and referred to the Special Deputy Collector for valuation. The Special Deputy Collector, valued the deficit stamp duty in the month of September, 2015, subsequently, the suit is being adjourned for payment of stamp duty.

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

4. The learned counsel would further submit that the



respondents, without paying the stamp duty are taking adjournment periodically and the delay in disposal of the case causes prejudice to the interest of the petitioner. It is further submitted that as per Article 21 of the Constitution of India, the petitioner is entitled for speedy disposal of the case.

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5. Considering the submission of the learned counsel for the petitioner and without going into the merits of the case, the learned II-Additional District Munsif, Trichy, is directed to dispose of the suit in O.S.No.1559 of 2004, as expeditiously as possible, preferably, not later than 31.12.2016.

6. With the above direction, this Civil Revision Petition is disposed of. No Costs.

Sd/-
Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

To

The II-Additional District Munsif,
Trichy.

+ 1 CC TO MrP.JAYAPRAKASH NARAYANAN, ADVOCATE IN SR No. 50372

PJL

TE/CK : 29/09/2016 : 2P/3C

C.R.P (MD) No.1748 of 2016 (PD)
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