



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2016

CORAM:

THE HONOURABLE MS.JUSTICE V.M. VELUMANI

CRP(MD).No.351 of 2016

S. Rajeshkumar

: Petitioner

Vs.

1.Minor Maheswaran

2.Minor Nathakumar

(Minors rep. by 3rd respondent)

3.Jeyalakshmi

4. Savadamuthu

5.Savudeeswari

6.Shanmugavel

: Respondents 1 to 3

Prayer: The Civil Revision Petition is filed under Article 227 of the Constitution of India to issue a direction for speedy disposal of the application in O.S.No.78 of 2014 on the file of District Munsif Court, Ottanchathiram within a time stipulated by this Court.

For Petitioner : Mr. H. Lakshmi Shankar

For R1 to R3 : Mr. V. Santha Kumaresan

For R4 to R6 : No appearance

O R D E R

This Civil Revision Petition is filed to issue a direction for speedy disposal of the suit in O.S.No.78 of 2014 on the file of District Munsif Court, Ottanchathiram within a time stipulated by this Court.

2. Though the notice served on the 5th respondent and his name is also printed in the cause list he has not chosen to appear either in person or through counsel. None appeared for the respondents 4 and 6.

3. The respondents 1 to 3 are the plaintiffs and respondents 4 to 6 are defendants 1 to 3.

4. The learned counsel appearing for the petitioner submitted that the respondents 4 and 6 are the defendants 1 and 3 and the petitioner based the property form 4th respondent / Savadamuthu and he is not seeking any relief as against the 4th respondent in the present Civil Revision Petition.



5. The respondents 1 to 3 / plaintiffs filed suit for partition against the respondents 4 to 6 and petitioner. In the said suit present petitioner filed written statement in the month of October 2011 and it is posted for trial on 09.12.2014. Even after listing the suit in the list, trial has not commenced. He further submitted that the petitioner is in possession and enjoyment of the property and the respondents 1 to 3 are trying to interfere with his peaceful possession and enjoyment of the property. In the circumstances, he has come out with present Civil Revision Petition for speedy disposal of the suit.

6. Having been taken into consideration of the material facts and circumstances, this Court is of the view that in the interest of justice, it may be expedient to issue a direction to the learned District Munsif, Ottanchatiram. Accordingly, this Civil Revision Petition is allowed and the learned District Munsif, Ottanchatiram is directed to dispose of the suit in O.S.No.78 of 2014, as expeditiously as possible in any event not later than 30th June 2017. No costs.

Sd/
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar.

To
The District Munsif,
Ottanchathiram

+1CC to M/S.H.Lakshmi Shankar, Advocate, SR.No. 82934

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