

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2017

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

**C.R.P.(PD)No.1325 of 2017
and
CMP.No.6180 of 2017**

1.V.Shanmugam
2.Tamilmani
3.M/s.Sam International
Rep. By its Managing partner,
V.Shanmugam
having registered office at
No.14, Jaffer Sarang street,
Chennai – 600 001.

.. Petitioners

Vs.

Bama Balaji

.. Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to issue appropriate direction to the learned Principal District Judge, Krishnagiri to take up the Transfer Original Petition No.1 of 2017 filed by the revision petitioners herein and to dispose of the same within a time frame fixed by this court.

For Petitioners : Mr.C.Kanagaraj

ORDER

This Civil Revision Petition has been filed seeking a direction to the learned Principal District Judge, Krishnagiri, to take up the Transfer Original Petition in Tr.OP.No.1 of 2017 filed by the revision petitioners herein and to dispose of the same within a stipulated time frame.

2. The petitioners are the plaintiffs in O.S.No.14/2016 filed against

the respondent for the relief of injunction on the file of the District Munsif, Krishnagiri.

3. The respondent filed a suit in O.S.No.11/2016 on the file of Sub-Court, Krishnagiri, against the petitioners for relief of declaration to declare title of suit property and consequential injunction restraining the petitioners from in any way interfering with his peaceful possession and enjoyment of the property in the suit filed by the respondent. The defendants / Petitioners herein filed a written statement.

4. Petitioners filed Transfer Original Petition in Tr.OP.No.1/2017 before the learned Principal District Judge, Krishnagiri, to transfer the suit in O.S.No.14/2016, filed by the petitioners, pending on the file of District Munsif Court, Krishnagiri, to Sub-Court, Krishnagiri, to be tried along with O.S.No.11/2016. In the said Transfer Original Petition, the respondent has not filed any counter and the suits are pending from the year, 2016.

5. In the above said circumstances, petitioners have come up with the present Civil Revision Petition for a direction to the learned Principal District Judge, Krishnagiri, to dispose of the Transfer Original Petition in Tr.OP.No.1 of 2017, within the time frame fixed by this court.

6. Heard the learned counsel appearing for the petitioners.

7. Having regard to the submissions made by the learned counsel for petitioners and considering the limited prayer sought for in the civil revision petition, without expressing any opinion with regard to the merits of the matter, I direct the Principal District Judge, Krishnagiri, to dispose of the petition in Tr.O.P.No.1 of 2017, on merits and in accordance with law, as expeditiously as possible, in any event, not later than 31st July 2017.

This Civil Revision Petition is allowed with the above direction. Consequently, connected miscellaneous petition is closed. No costs.

10.04.2017

Speaking/Non-speaking order

Index :Yes/No

gv

V.M.VELUMANI, J.

gv

To

1. The Principal District Judge,
Krishnagiri.
2. The District Munsif Court,
Krishnagiri.
- 3.The Sub-Court,
Krishnagiri.

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