

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2017

CORAM

THE HONOURABLE Ms. JUSTICE V.M.VELUMANI

CRP (PD) No.1528 of 2017

M.Thirukumaran @ Kumar .. Petitioner

Vs

R.Sivaguru .. Respondent

Prayer:- Civil Revision Petition filed under Section 227 of the Constitution of India, to direct the Subordinate Judge for a speedy disposal of O.S.No.197 of 2016 on the file of the Subordinate Court at Poonamallee.

For Petitioner : Mr.C.B.Muralikrishnan

ORDER

The petitioner is the defendant in the suit. The respondent/plaintiff filed the suit in O.S.No.142 of 2013 on the file of the District Munsif Court, Poonamalle, for bare injunction against the petitioner/defendant. On receiving the suit summons, the petitioner entered appearance on 23.4.2013 and filed the written statement. The issues were framed by the trial Court on 02.07.2013, and the suit was initially posted for trial on 04.07.2013, and subsequently it was posted on 24.07.2013.

2. Later, on the ground of pecuniary jurisdiction, the suit was transferred from the District Munsif Court, Poonamallee to Subordinate Court, Poonamalle and it was renumbered as O.S.No.197 of 2016 and from that date onwards, the suit is pending without any progress. It is also contended by the petitioner that the respondent had filed application after application for prolonging the matter.

3. The learned counsel for the petitioner contended that though the petitioner has already filed the written statement, issues were framed and the suit is posted for trial, the trial Court is unnecessarily adjourning the case periodically without any reasons. In the said circumstances, the petitioner has come out with the present civil revision petition, for early disposal of the suit.

4. Heard the learned counsel appearing for the petitioner.

5. Having regard to the submissions made by the learned counsel for the petitioner, 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 Subordinate Judge,

Poonamallee, to dispose of the suit in O.S.No.197 of 2016, on merits and in accordance with law, as expeditiously as possible, in any event, not later than 30th September 2017.

6. The Civil Revision Petition is disposed of with the above direction. No costs.

25.04.2017

ds

Speaking order/Non-speaking order
Index : Yes / No

To:

The Subordinate Court,
Poonamallee.

V.M.VELUMANI,J

ds

CRP (PD) No.1528 of 2017

25.04.2017

<http://www.judis.nic.in>