

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2017

CORAM

THE HONOURABLE Ms. JUSTICE V.M.VELUMANI

CRP (PD) No.1541 of 2017

G.Pappathi

.. Petitioner

Vs

1.G.Selvam

2.A.Govindan

3.The Sub-Registrar
Sub Registrar's Office
Mecheri, Mettur
Salem.

.. Respondents

Prayer:- Civil Revision Petition filed under Section 227 of the Constitution of India, to direct the learned I Additional District Judge at Salem, to dispose of the suit viz., O.S.No.67 of 2015 expeditiously in a time framed manner.

For Petitioner : Mr.Thanga Vadhana Balakrishnan

ORDER

The petitioner has filed this Civil Revision Petition to direct the learned I Additional District Judge at Salem, to dispose of the suit in O.S.No.67 of 2015, expeditiously in a time framed manner.

2. The first respondent/plaintiff filed a suit in O.S.No.67 of 2015 on the file of the District Court, Salem, (i) against the defendants 1 and 2 for partition and for permanent injunction; and (ii) against the third defendant not to entertain any document for registration if it is presented either by defendants 1 and 2 or by their agents in respect of the suit property. The first defendant/petitioner filed a written statement on 11.08.2015. Pending disposal of the suit, the first defendant/petitioner filed application in I.A.No.571 of 2016 in O.S.No.67 of 2015 under Order VII Rule 11(A) of C.P.C., to reject the plaint on 11.08.2015 (i.e.) on the same day of filing the written statement. The said application is pending enquiry.

3. The learned counsel appearing for the petitioner/1st defendant submitted that the petitioner is 67 years old and she is suffering from age old ailments. It is submitted that the trial Court has not even taken steps to dispose of the suit, even after filing of the written statement. Hence, the petitioner has come out with the present Civil Revision Petition for issuing a direction to expedite the disposal of the suit in O.S.No.67 of 2015, within a time frame to be fixed by this Court.

4. Heard the learned counsel appearing for the petitioner. Having regard to the submissions made by the learned counsel for the petitioner, and considering the limited prayer sought for in the civil revision petition and that the suit is also pending from the year 2015, without expressing any opinion with regard to the merits of the matter, I direct the learned I Additional District Judge, Salem, to dispose of the suit in O.S.No.67 of 2015, on merits and in accordance with law, as expeditiously as possible, in any event, not later than 30st September 2017.

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

26.04.2017

ds

Note : Issue order copy on 27.04.2016

To:

The I Additional District Court,
Salem.

V.M.VELUMANI,J

ds

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