

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.12.2017

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THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

C.R.P.(PD).No.4185 of 2017
and
C.M.P.No.19603 of 2017

Muthusamy

...Petitioner

Vs.

1. N.Jaganathan
2. Ragavabalaji
3. Vichithra

...Respondents

Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the fair and final order dated 21.07.2017 made in Tr.O.P.No.294 of 2016 on the file of the Principal District Court, Coimbatore in O.S.No.358 of 2015 on the file of the District Munsif Court, Pollachi.

For Petitioner : D.R.Arunkumar

For Respondents : Mr.Tranquebar Doraivasu

ORDER

This Civil Revision Petition filed to set aside the fair and final order dated 21.07.2017 made in Tr.O.P.No.294 of 2016 on the file of

the Principal District Court, Coimbatore in O.S.No.358 of 2015 on the file of the District Munsif Court, Pollachi.

2. The petitioner has filed a suit in O.S.No.358 of 2015 as against the respondents for the relief of declaration of sale deed dated 23.05.2015 in favour of 3rd defendant executed by defendants 1 and 2 as null and void and also for a relief of permanent injunction restraining the defendants from interfering the possession.

3. When the above suit is pending before the District Munsif Court, Pollachi, the respondents have filed Tr.O.P.No.294 of 2016 before the Principal District Judge, Coimbatore, seeking transfer of O.S.No.358 of 2015 from the file of District Munsif Court, Pollachi to any other District Munsif Court, Coimbatore. On the basis of remarks submitted by the learned District Munsif, Pollachi and the averments made in the Petition, the Principal District Judge, Coimbatore, has allowed the application.

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4. In view of the facts and circumstances of the case and considering the order passed by the Court below, this Court is not inclined to entertain this Civil Revision Petition. The Civil Revision

petition fails and the same is accordingly dismissed. No Costs.
Consequently, the connected miscellaneous petition is closed.

14.12.2017

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Index : yes/no

Internet : yes/no

Speaking / Non-speaking Order

To

1. The Principal District Court,
Coimbatore.
2. The District Munsif Court,
Pollachi.

C.R.P.No.4185 of 2017

and

C.M.P.No.19603 of 2017

D.KRISHNAKUMAR, J

The Civil Revision Petition is listed today under the caption "for being mentioned" at the instance of the learned counsel for the petitioner.

When the matter is taken up for hearing, the learned counsel for the petitioner submitted that a direction may be given to the learned Principal District Munsif, Coimbatore to dispose of the suit in O.S.No.358 of 2015

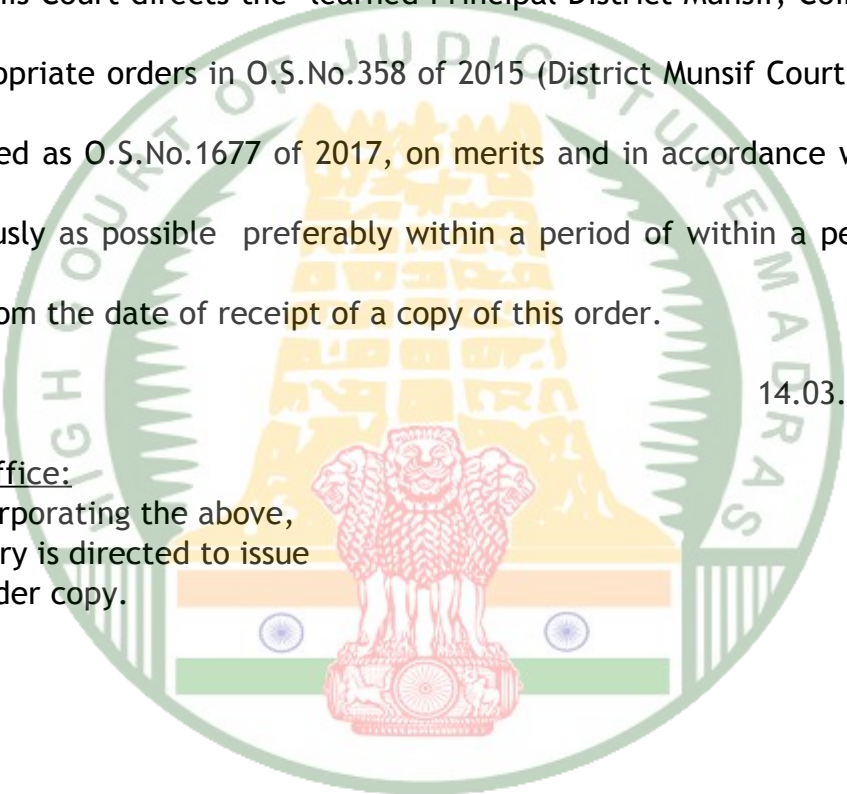
(District Munsif Court, Pollachi), (now renumbered as O.S.No.1677 of 2017), as early as possible. The learned counsel for the respondents also has accepted the same.

Considering the submissions made by the learned counsel for both parties, this Court directs the learned Principal District Munsif, Coimbatore to pass appropriate orders in O.S.No.358 of 2015 (District Munsif Court, Pollachi), renumbered as O.S.No.1677 of 2017, on merits and in accordance with law as expeditiously as possible preferably within a period of within a period of six months from the date of receipt of a copy of this order.

14.03.2016

Note to Office:

After incorporating the above,
the Registry is directed to issue
a fresh order copy.
cla

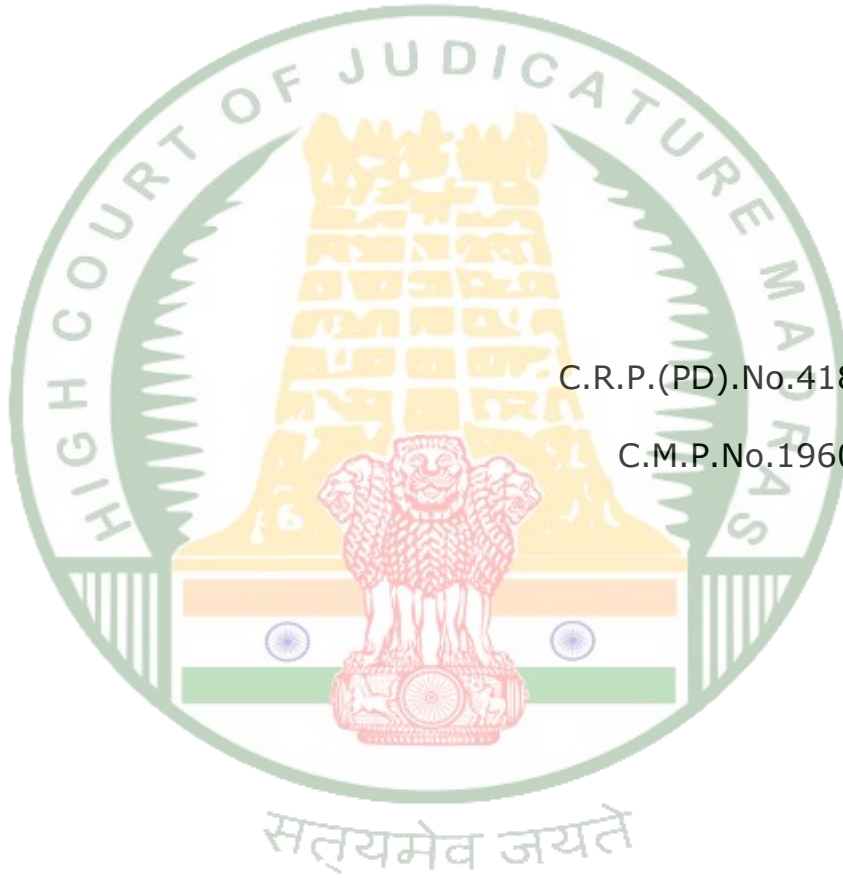


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D. KRISHNAKUMAR, J.

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