

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2017

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRP (PD) No. 4722 of 2017

V.Prakasam

.. Petitioner

Vs

P.Vediyappan

.. Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, directing the learned District Munsif, Harur to dispose of the O.S.No. 140 of 2012 within a specific period as fixed by this Court.

For Petitioner : Mr. S.Kumaradevan

ORDER

This revision is filed to direct the learned District Munsif, Harur to dispose of the O.S.No.140 of 2012 within a specific period as fixed by this Court.

2. The learned counsel for the petitioners submitted that the petitioner herein filed the Original Suit in O.S. No.140 of 2012 seeking the relief of declaration and permanent injunction. Thereafter, the revision petitioner filed written statement on 28.01.2013. The learned District Munsif framed issues in the aforesaid suit. In the mean time, the respondent has filed amendment application and the same was allowed on 22.03.2016. However, the respondent without carrying out the amendment, is getting adjournments from time to time. Now, the case is posted for trial. Hence, the civil revision petition filed before this Court.

3. According to the petitioner is that there is no legal impediment to dispose of the aforesaid suit. The conduct of the respondent clearly shows that he is dragging on the proceedings. The suit is of the year of 2012 and the suit is pending for more than four years. Hence, the petitioner has filed this revision petition, seeking the aforesaid prayer.

4. Considering the facts and submissions made by the learned counsel for the petitioner, this Court is inclined to direct the District Munsif, Harur to dispose of the O.S. No.140 of 2012, in accordance with law, after providing opportunities to the petitioner as expeditiously as possible, preferably within a period of eight months from the date of receipt of a copy of this order.

5. The Civil Revision Petition is disposed of, with the above direction. No order as to costs.

20.12.2017

Index : Yes/ No

Speaking order/ Non speaking order

RKP

To
The District Munsif,
Harur.

सत्यमेव जयते
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D. KRISHNAKUMAR J.,

RKP



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