

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2017

C O R A M

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

C.R.P.P.D.No.65 of 2017

Sheeba Vijayakumar

.. Petitioner

-Vs.-

1. C.Daniel Praveen Raj

2. The Commissioner,
Poonamallee Municipality
Thiruvallur District

.. Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India praying to direct the Additional District Munsif, Poonamallee to dispose the suit O.S.No.140 of 2016 within the stipulated time as prescribed by this Court.

For petitioner ... Mr.P.Sesubalan Raja

O R D E R

The plaintiff has filed the above revision petition seeking a direction for speedy disposal of O.S.No.140 of 2016 on the file of the Additional District Munsif, Poonamallee.

2. It is stated that along with the suit, injunction application was filed and stay was granted. However, it is stated that the first defendant has been continuously doing his construction work in the suit property. The plaintiff filed an application to advance the hearing of the interlocutory application. Though the said application was allowed, the respondents have not filed their counter and the matter is simply being adjourned. Even in the suit, there is no progress and the defendants were set ex-parte on 02.12.2016 as they have not filed their written statement.

3. It is also pointed out that the suit had been adjourned from 04.06.2016 till the ex-parte order dated 02.12.2016 (i.e) more than ten times in the last six months. Thus, there is no progress in the suit and the high handed attitude of the first defendant is prejudicing the plaintiff's interest. Even after the ex-parte decree against the defendants, the suit ought to have been proceeded with. As the time limit for setting aside the ex-order decree is also over, this Court is inclined to give a direction

to the Additional District Munsif, Poonamallee to dispose of the suit in O.S.No.140 of 2016 as expeditiously as possible, however, not later than 30.04.2017.

4. With the above direction, the Civil Revision Petition is disposed of. No costs.

srn

12.01.2017

To

The Additional District Munsif,
Poonamallee

PUSHPA SATHYANARAYANA.J

srn

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