

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2017

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P.(PD)No.2028 of 2015
& M.P.No.1 of 2015

G.Padaleeswaran (died)

2.P.Jayalakshmi

3.P.Shenbagaraman Pillai

4.P.Vijayaraja Sinthiya

.. Petitioners

(Petitioners 2 to 4 brought on record as legal heirs of the deceased sole petitioner viz., G.Padaleeswaran vide Court order dated 15.11.2017 made in C.M.P.No.17365 of 2016 in C.R.P.No.2028 of 2015)

Vs.

1.P.Rajendran

2.R.Selvarani

.. Respondents

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PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, for a direction to the learned III Additional District and Sessions Judge, Cuddalore at Virudhachalam to number

I.A.No. of 2012 in O.S.No.127 of 2009 and dispose the same within stipulated time.

For Petitioners : Mr.C.Prakasam

For Respondents : Mr.S.William

ORDER

The Civil Revision Petition is filed for a direction to the learned III Additional District and Sessions Judge, Cuddalore at Virudhachalam to number I.A.No. of 2012 in O.S.No.127 of 2009 and dispose the same within stipulated time.

2. The first petitioner filed an application under Section 340 of Criminal Procedure Code to punish the respondents for having committing an offence. The said application was returned on various dates by the trial Court by raising various queries. The first petitioner has represented the application with his comments for the return. Finally on 20.06.2012, first petitioner represented the application with an endorsement that application may be called in the open Court. From that date onwards, the application was adjourned on number of occasions. On 27.02.2015, the learned

Judge adjourned the application to 17.03.2015. In the circumstances, the petitioners have come out with the present Civil Revision Petition for a direction to the learned III Additional District and Sessions Judge, Cuddalore at Virudhachalam to number the said application and dispose the same within stipulated time.

3. Pending Civil Revision Petition, the first petitioner died. Petitioners 2 to 4 were brought on record vide order dated 15.11.2017 made in C.M.P.No.17365 of 2016 in C.R.P.No.2028 of 2015.

4. From the materials available on record, it is seen that the learned Judge has not passed any order either directing the Registry to number the application or reject the said application filed by the first petitioner. In the circumstances, the learned Judge is directed to hear the parties and pass orders with regard to number the application filed by the first petitioner, if it is otherwise in order, within a period of one month from the date of receipt of a copy of this order.

5. With the above direction, the Civil Revision Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

04.12.2017

Index : Yes/No
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To

III Additional District and Sessions Judge
Cuddalore at Virudhachalam.



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V.M.VELUMANI, J.

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