

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06.01.2017**

CORAM:

THE HONOURABLE MR.**JUSTICE S.M.SUBRAMANIAM**

C.R.P.(P.D.) No.2237 of 2012

Jayapal

... Petitioner

Vs.

Nallaiyan

... Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to direct the trial Court to dispose of O.S.No.259 of 2010, on the file of Sub-Court,Namakkal.

For Petitioner : Mr.N.Surya Senthil

For Respondent : No appearance

ORDER

This Civil Revision Petition is filed to direct the trial Court to dispose of the Suit in O.S.No.259 of 2010, on the file of Sub-Court, Namakkal.

2.The learned counsel for the petitioner submitted that the petitioner/plaintiff has filed a Suit for Partition along with I.A.No.728 of 2010, interim injunction, which was rejected by the trial Court. The learned counsel fairly concedes that the Suit is pending for more than five years, the petitioner was not having the benefit of interim injunction during the pendency of the Suit for the past five years and therefore prayed for directing the trial Court to dispose of the Suit, within a specified period.

3.In that view of the matter, this Court is inclined to consider the submissions advanced by the learned counsel for the petitioner, for the speedy disposal of the Suit.

4.Accordingly, the learned Subordinate Judge, Namakkal, is requested to take up the Suit in O.S.No.259 of 2010 for trial and dispose of the same, as early as possibly, preferably, within a period of nine month from the date of receipt of a copy of this order.

The Civil Revision Petition is disposed of accordingly. No Costs.

06.01.2017

rpa

S.M.SUBRAMANIAM,J.

rpa

To

The learned Subordinate Judge,
Namakkal.

C.R.P.(P.D.) No.2237 of 2012

06.01.2017