

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **07.02.2017**

CORAM

THE HON'BLE MRS.JUSTICE **PUSHPA SATHYANARAYANA**

CRP PD No.3706 of 2016

1. Mariya Susaliya
2. S.Amuthan
3. Sabastiamma

.. Petitioners

vs

1. P.A.Vargheese
2. Pushpa Thresa

.. Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to direct the learned District Munsif, Gudalur to dispose of the suit in O.S.No.37 of 2014 pending on its file, within a time frame that may be fixed by this Court.

For Petitioners : Mr.M.A.R.Pragash

For Respondents : Mr.P.Prakash Paul for R1
R2- Died

ORDER

The revision petitioners are the defendants 1,2 and 4. The revision is filed praying for a direction to direct the learned District Munsif, Gudalur to dispose of the suit in O.S.No.37 of 2014 pending on its file.

2. Heard both sides.

3. It is stated by the revision petitioners/defendants that though the first respondent/plaintiff promised to vacate the demised premises on 01.01.2013 and agreed to hand over vacant possession, without doing so, he is dragging on the matter for the past more than three years, without even paying the rent from 01.01.2013.

4. It is also brought to the notice of this Court by the learned counsel for the revision petitioners/defendants that earlier this Court vide order dated 10.01.2017 passed in CRP PD No.3700 of 2016 had directed the Court below to dispose of the one other suit pending between the same parties in O.S.No.36 of 2014, on or before 28.02.2017.

5. From the perusal of the typed set of papers, it is seen that the suit has been filed by the first respondent/plaintiff for an injunction, not to evict him unless by due process of law; the written statement was filed by the defendants as early as 24.11.2014 and the trial commenced on 27.07.2015 and though the cross examination of

the defendants is in progress, till date there was no progress in the suit. Hence the above revision petition has been filed seeking a direction to dispose of the suit within a time frame that may be fixed by this Court.

6. Considering the fact that the matter has been posted for cross examination of defendants, the parties are directed to co-operate for the early disposal of the matter. The learned trial Judge is also directed to complete the trial and dispose of the suit itself on or before 30.04.2017, without seeking further extension of time.

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

07.02.2017

vj2

Index: yes/No

Internet: yes

To

The District Munsif, Gudalur

PUSHPA SATHYANARAYANA,J.,

vj2

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