



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.10.2017

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

CRP(PD) (MD) No.1722 of 2017

- 1) Raja
- 2) P. Indira
- 3) Anjali Devi
- 4) Uma Devi

... Petitioners

vs.

- 1) Janakiammal
- 2) Ravi
- 3) Rajammal
- 4) Manoharan
- 5) Ayyanan
- 6) Muhammad Kallasin
- 7) Nagalakshmi
- 8) Ketharnath
- 9) Rajapandian
- 10) Subburaj

... Respondents

Petition filed under Article 227 of the Constitution of India, for speedy disposal of O.S.No.406 of 2015 pending on the file of the Subordinate Judge, Madurai, (Camp; Sub Court Tirumangalam).

For Petitioner : Mr.G.Ganesh Kumar

ORDER

This revision petition has been filed to issue a direction to the learned Subordinate Judge, Madurai, (Camp; Sub Court, Tirumangalam), to dispose of O.S.No.406 of 2015 within a time frame to be fixed by this Court.

2.The learned counsel for the petitioner would aver that the petitioners are brother and sisters and they are the children of one Late.Rengasamy Naidu, who had two sons and three daughters. The respondents 1 and 2 are wife and son of Late.Rengasamy Naidu and respondents 3 to 10 are subsequent purchasers. The properties are situated in S.No.28/1C having an extent of 0.36.00 ares at Rajapalayam Village, Tirumangalam Taluk, Madurai District, and at S.P.Natham Village in S.Nos.33/4D having an extent of 0.27.50 ares, 13/4B having an extent of 0.39.90 ares which were originally belonged to the petitioners' father Late.Rengasamy Naidu.



3. It is the case of the petitioners that the above properties are ancestral properties in nature and the 2nd respondent sold the properties to the respondents 3 to 10 without the knowledge of the petitioners. Since Late.Rengasamy Naidu and the 2nd respondent have no right to sell the properties, the subsequent sale transaction between the respondents 3 to 10 are invalid. Hence, the suit for declaration and permanent injunction was filed. It is further stated that the respondents are getting adjournments without any reason and long adjournments were given. Hence, the petitioners have come up with the present revision petition for early disposal of the suit.

4. Since it is only a petition for early disposal of the suit which is pending from 2015 onwards, no notice is necessary to the respondents herein.

5. Considering the submissions made by the learned counsel for the petitioner, this Court feels that ends of justice would be met by directing the Trial Court to dispose of the suit within a time frame. Accordingly, a direction is issued to the learned Subordinate Judge, Madurai, (Camp; Sub Court, Tirumangalam), to dispose of O.S.No.406 of 2015 within a period of one year from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar (CSII)

/True Copy/

Sub-Assistant Registrar

To

The Subordinate Judge,
Madurai,
(Camp; Sub Court Tirumangalam).

+One cc to Mr.G.GaneshKumar, Advocate, SR.No.82520

bala
RL/3C/2P/SKN/RSK/SAR1/9/11/2017

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