



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2017

CORAM:

WEB COPY

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P(MD)No.2 of 2017 (NPD)

1.M.Ayyakannu

2.M.Krishnamoorthy

.. Petitioners/Respondents

Vs.

1. The General Manager,
Southern Railway,
Chennai.

2. The Divisional Railway Manager,
Southern Railway,
Tiruchirapalli.

3. The Principal,
Railway Protection Force School,
Kajamalai,
Tiruchirapalli.

.. Respondents/Appellants

PRAYER: Civil Revision Petition is filed, under Article 227 of the Constitution of India, to direct the learned I Additional Subordinate Judge, Tiruchirapalli, to expedite and complete the trial in A.S.No.106 of 2015, within a stipulated time that may be fixed by this Court.

For Petitioners : Mr.M.P.Senthil

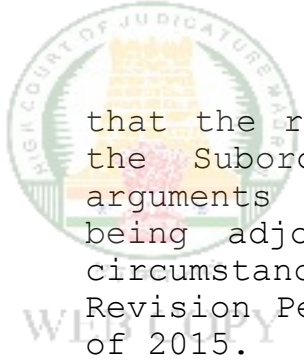
ORDER

This Civil Revision Petition is filed to direct the learned I Additional Subordinate Judge, Tiruchirapalli, to expedite and complete the trial in A.S.No.106 of 2015, within a stipulated time that may be fixed by this Court.

2. The petitioners filed O.S.No.917 of 2006 against the respondents before the I Additional District Munsif Court, Tiruchirapalli, for declaration and permanent injunction. The said suit was decreed on 02.03.2015. Against the said judgment and decree, dated 02.03.2015, the respondents filed A.S.No.106 of 2015 before the Subordinate Court, Tiruchirapalli and the same is pending.

<https://hcservices.ecodrts.gov.in/hcservices/>

3. The contention of the learned counsel for the petitioners is



that the respondents filed A.S.No.106 of 2015 on 04.07.2015 before the Subordinate Court, Tiruchirapalli and it was posted for arguments on 28.01.2016. From that date onwards, the appeal is being adjourned without taking it for final hearing. In the circumstances, the petitioners have come out with the present Civil Revision Petition to expedite and complete the Trial in A.S.No.106 of 2015.

4. I have heard the learned counsel for the petitioners and perused the materials available on record.

5. Having been taken into consideration of the material facts and circumstances, this Court is of the view that in the interest of justice, it may be expedient to issue a direction to the first appellate Court. Accordingly, this Civil Revision Petition is allowed and the learned I Additional Subordinate Judge, Tiruchirapalli, is directed to dispose of A.S.No.106 of 2015 as expeditiously as possible, in any event, not later than 30.06.2017. No costs.

Sd/-
Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar

To

The I Additional Subordinate Judge,
Tiruchirapalli.

+1CC to M/S.M.P.Senthil, Advocate, SR.No. 1019

C.R.P(MD)No.2 of 2017 (NPD)
05.01.2017

smn2
MK/SS2-KSM/20.1.2017/2p/3c