



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:17.11.2017

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (PD) (MD) No.2094 of 2017

V.K.N.Perumal @ Kathali Narasinga Perumal

.. Petitioner/5th Defendant

vs.

1.Ganesan
2.Suriyakala
3.Nanammal
4.Alagammal
5.Saraswathy
6.Nagarethinam
7.Vijaya
8.Thayammal
9.Kanagamani

... Respondents/Plaintiffs

10.G.Suseela
11.G.Gnana Soundari
12.G.Thiruchandiran
13.G.Chitra

... Respondents 10 to 13/
Defendants 1 to 4

PRAYER: Petition filed under Article 227 of the Constitution of India, to direct the Principal District Court, Theni to dispose of the suit in O.S.No.21 of 2012 within time limit as fixed by this Court.

For Petitioner : Mr.M.V.Venkataseshan

ORDER

The above Civil Revision Petition has been filed seeking a direction to the Principal District Court, Theni to dispose of the suit in O.S.No.21 of 2012, within a stipulated time as fixed by this Court.

2. The petitioner would aver among other things that the petitioner is the fifth defendant in the suit and the suit is filed in the year 2012. According to him, the the suit was filed at the instigation of the seventh plaintiff, which is frivolous and vexatious. The petitioner further submitted that the interim application mentioned in the "B" diary relates to impleading some of six legal heirs of predeceased elder sister of the parties.



The suit is for partition and the petitioner is the contesting party and he has stated no objection, however the matter is being adjourned without any justifiable reason. Therefore, the petitioner has come forward with the present petition seeking early disposal of the suit.

3. Heard the learned Counsel for the petitioner and perused the materials available on record.

4. The prayer in the petition itself is with a limited prayer for speedy disposal of the suit in O.S.No.21 of 2012 and therefore, no notice is necessary to the respondents.

5. Considering the facts and circumstances of the case, this Court is of the view that ends of justice would be met, if a direction is issued to the trial Court. Accordingly, having regard to the submissions made by the learned Counsel for the petitioner and also taking into consideration the limited prayer sought for in this Civil Revision Petition, without expressing any opinion with regard to the merits of the case, this Court directs the learned Principal District Judge, Theni to dispose of the suit in O.S.No.21 of 2012 on merits and in accordance with law within a period of six months from the date of receipt of a copy of this order.

6. With the above directions, the Civil Revision Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To

The Principal District Court, Theni.

+1cc to Mr.M.V.Venkataseshan, Advocate Sr.No.87767

SSL

VB/MR/KKR/SAR2/04/12/2017/2P/3C

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