



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2017

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P (MD) (PD) No.2383 of 2017

C.Adaikkappan

...Revision Petitioner/1st Defendant

Vs.

1.Rama.Valliammai Aachi

...1st Respondent/Plaintiff

2.N.Venkataachalam

3.N.Renganathan

4.N.Chidambaram

5.Rama.Sreenivasan

6.Rama.Vijaya

7.N.Solachi Aachi

8.N.Sreenivasan

9.N.Alagappan

10.Kannathaal

11.Nagammai

12.Alamelu Mangai

...Respondents 2 to 12/Defendants 2 to 12

PRAYER: The Civil Revision Petition is filed under Article 227 of the Constitution of India for expediting the hearing in Original Suit in O.S.No.170 of 2005 on the file of the District Munsif Court, Karaikudi.

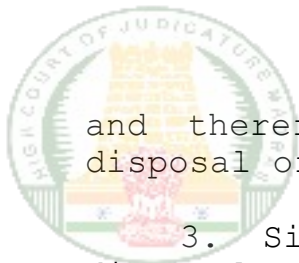
For Petitioner

: Mr.VR.Shanmuganathan

O R D E R

The Civil Revision Petition has been filed for a direction to the learned District Munsif, Karaikudi to dispose of the suit in O.S.No.170 of 2005.

2. Learned counsel for the petitioner would submit that the respondent/plaintiff has filed a suit for partition in O.S.No.151 of 2001 on the file of the Sub Court, Devakottai, claiming 1/4th share in the suit schedule property based on a void gift deed. The said suit was later transferred to the file of District Munsif Court, Karaikudi and renumbered as O.S.No.170 of 2005. According to the petitioner, in the said suit, written statement was filed and issues were framed as early as in 2006 and after the chief examination of the defendants, the matter was posted for cross-examination on 10.01.2007. The plaintiff filed petition after petition and finally, cross-examination of D.W.1 was completed only on 23.01.2017 and now the matter is posted for cross-examination of D.Ws.7 to 9 and now once again, the plaintiff started to get adjournment unnecessarily



and therefore, the petitioner is before this Court for early disposal of the above suit.

3. Since the revision petition has been filed for early disposal of the suit, no notice is necessary to the respondents.

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4. The suit is of the year 2001 and it is very unfortunate that the suit is pending from 2001. Considering the facts and circumstances of the case and also considering the age of the petitioner, ends of justice would be met, if a direction is issued to the learned Judge to dispose the suit within a time frame. Accordingly, the learned District Munsif, Karaikudi to dispose of the suit in O.S.No.170 of 2005 on day- to-day basis within a period of three months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

The District Munsif, Karaikudi.

C.R.P (MD) (PD) No.2383 of 2017
12.12.2017

akv

AM/GT/SAR 2/13.02.2018/2P/2C