



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.12.2017

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

CRP (PD) (MD) No.2474 of 2017

N.Graha Lakshmi

... Petitioner/Plaintiff

vs.

1) S.Sudharsan
2) S.Janakiram
3) Manoj Kumar
4) J.Vijaya Lakshmi

... Respondents/Defendants

Petition filed under Article 227 of the Constitution of India, to direct the learned Principal District Judge, Virudhunagar District at Srivilliputhur, to complete the trial and dispose of the suit in O.S.No.93 of 2014 pending on his file as expeditiously as possible within the time stipulation as prescribed by this Hon'ble Court.

For Petitioner : Mr.S.M.Anantha Murugan

ORDER

This revision petition has been filed to direct the learned Principal District Judge, Virudhunagar District at Srivilliputhur, to complete the trial and dispose of the suit in O.S.No.93 of 2014 pending on his file as expeditiously as possible within a time frame to be fixed by this Court.

2.The petitioner would aver among other things that he has filed the suit for declaration and permanent injunction as early as in 2014 in respect of the suit schedule properties. The 1st respondent is the elder brother of the petitioner and respondents 2 and 3 are the sons of the 1st respondent and the 4th respondent is elder sister. The petitioner would aver that the suit property devolved on him based on a registered will executed by his father on 24.11.2003 and after the demise of his father, the petitioner was in possession of the suit property and also patta in respect of the suit property was also changed in his name. The property in question is the property which was acquired by his father on 08.03.1978. The respondents 2 and 3 filed O.S.No.85/2002 before the Sub Court, Sivakasi, and the same was dismissed on 28.07.2003. Thereafter, another suit in O.S.No.169/2008 was filed and the same was also dismissed on 28.07.2016. The petitioner aggrieved over the



harassment made by the respondents in one way or other interfering in the peaceful possession was constrained to file the present suit and at present, except the interim applications in I.A.Nos.494/14 and 102/17, no other petitions are pending and the grievance of the petitioner is that though the suit has been taken on file in the year 2014 itself, the respondents in one way or other are protracting the proceedings and therefore, the petitioner is constrained to file the present revision petition for early disposal of the suit.

3.Since it is only a petition for early disposal of the suit which is pending from 2014 onwards, no notice is necessary to the respondents herein.

4.Considering the submissions made by the learned counsel for the petitioner this Court feels that ends of justice would be met by directing the Court below to dispose of the suit within a time frame. Accordingly, a direction is issued to the learned Principal District Judge, Virudhunagar District at Srivilliputhur, to complete the trial and dispose of the suit in O.S.No.93 of 2014 within a period of six months 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

/True Copy/

Sub Assistant Registrar

To

The Principal District Judge,
Virudhunagar District at Srivilliputhur.

+ 1 CC TO Mr.S.M.ANANTHA MURUGAN, ADVOCATE IN SR No. 93877

BALA

TE/JC/SAR-2 : 17/01/2018 : 2P/3C

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