



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.03.2017

CORAM :

WEB COPY

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

CRP (PD) (MD) No. 452 of 2017

R. Sivakumar

... Petitioner

vs.

1) Kulanthaivel @ Muruganatham
2) Viswanathan
3) Sankarakumar
4) The Commissioner,
Madurai Corporation,
Aringar Anna Malagai,
Madurai.
5) The Assistant Commissioner,
South Zone-4,
Madurai Corporation,
Aringar Anna Malagai,
Madurai.
6) Nagarajan

... Respondents

Prayer:- Civil Revision Petition filed the under Article 227 of Constitution of India, to direct the Additional District Munsif Court, Madurai town for expeditiously dispose the suit and pass order in O.S.No.258/2012 pending on file of the Additional District Munsif Court, Madurai town in accordance with law within the time stipulated by this Hon'ble Court.

For Petitioner

: Mr. R. Venkatesan

For R4 & R5

: Mr. Gunaseelan Muthiah

ORDER

This Civil Revision Petition has been filed to direct the Additional District Munsif, Madurai, to expeditiously dispose the suit in O.S.No.258 of 2012 within the time stipulated by this Court.

2. Since B-Diary extract indicated that the issues in this case have not been framed for long time, a report from the learned Additional District Munsif, Madurai, was called for. Pursuant to that, the Additional District Munsif, Madurai Town, has submitted a report on 08.03.2017, wherein, it appears that an application under Order 7 Rule 11 in I.A.No.298 of 2012 is pending and due to



the pendency of this application to reject the plaint, the Munsif is unable to proceed further by framing issues.

3. The revision petitioner who is the plaintiff in the suit, ought to have expedited I.A.No.298 of 2012. Instead, suppressing the pendency of application filed under Order 7 Rule 11, had filed this revision, as if, the learned Munsif is deliberately delaying in framing issues. Hence, I see no merit in this revision petition.

Accordingly, this Civil Revision Petition is dismissed. No costs.

Sd/-
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

The Additional District Munsif,
Madurai Town.

CRP(PD) (MD) No.452 of 2017
09.03.2017

nbi/psd
AM/SV.MMS/15.3.2017/2P/2C