



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 11.01.2017

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI
C.R.P (MD) No.59 of 2017 (PD)

WEB COPY

Murugan, S/o.Ramaiya

.. Petitioner

Vs.

- 1.Santhanam, S/o.Vellaiyam
- 2.Essakiammal, D/o.Alangara Velar
- 3.Leelavathy, D/o.Alangara Velar
- 4.Dhanalakshmi, D/o.Alangara Velar
- 5.Lalitha, D/o.Alangara Velar
- 6.Neela Meham, D/o.Alangara Velar
- 7.Murugan, S/o.Alangara Velar

.. Respondents

PRAYER: Civil Revision Petition is filed, under Article 227 of the Constitution of India, to direct the learned Principal Subordinate Judge, Tuticorin, to expedite the case in A.S.No.96 of 2015 on its file and to dispose it off on merits within a specified time frame as may be fixed by this Court.

For Petitioner : Mr.S.Muthuvinayagam

ORDER

This Civil Revision Petition is filed to direct the learned Principal Subordinate Judge, Tuticorin, to expedite the case in A.S.No.96 of 2015 on its file and to dispose of the same on merits, within a specified time frame as may be fixed by this Court.

2. The first respondent filed O.S.No.287 of 2011 against the respondents 2 to 7 and the petitioner before the Principal District Munsif Court, Tuticorin, for declaration that the registered sale deed executed by the respondents 2 to 7 herein in favour of the petitioner, bearing Document No.921/2011, dated 28.04.2011, before the Sub-Registrar, Ottapidaram, as null and void to restrain the petitioner and others from any way interfering with the peaceful possession and enjoyment of the suit schedule property and to grant permanent injunction and to direct the respondents 2 to 7 herein to receive the balance sale consideration of Rs.2,500/- from the first respondent and for other reliefs against the respondents 2 to 7 and the petitioner. After contest, the said suit was dismissed on 03.07.2015. Against the said judgment and decree, dated 03.07.2015, the first respondent has filed A.S.No.96 of 2011 before the Principal Subordinate Court, Tuticorin, and the same is pending.

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

3. The contention of the learned counsel for the petitioner is that the first respondent filed A.S.No.96 of 2011 on 27.08.2015 before the Principal Subordinate Court, Tuticorin, and it was



posted for arguments on 10.02.2016. From that date onwards, the appeal is being adjourned without taking it for final hearing. In the circumstances, the petitioner has come out with the present Civil Revision Petition to expedite the case in A.S.No.96 of 2015 and to dispose of the same on merits.

4. I have heard the learned counsel for the petitioner 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 Principal Subordinate Judge, Tuticorin, is directed to dispose of A.S.No.96 of 2015 as expeditiously as possible, in any event, not later than 30.06.2017. No costs.

Sd/-

Assistant Registrar (Cr1.Side)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The Principal Subordinate Judge,
Tuticorin.
- 2.The Senior Officer, V.R Section,
Madurai Bench of Madras High Court, Madurai.

+1 cc to Mr.S.MUTHUVINAYAGAM, Advocate, SR.No:2425

smn2

sva/ss2/ksm/27.01.2017/2p/4c

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