



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2017

CORAM :

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CRP (PD) (MD) No.612 of 2017

K.Kulanthaisamy

... Petitioner

vs.

Nachiappa Gounder (died)
N.Kittusami

... Respondent

Petition filed under Article 227 of Constitution of India, seeking direction to the learned District Munsif, Vedsanthur to dispose of O.S.No.273 Of 2008 within a stipulated time .

For Petitioner

: Mr.S.Siva Thilakar

ORDER

The revision petitioner seeks the indulgence of this Court to direct the learned District Munsif cum Judicial Magistrate, Vedsanthur, Dindigul District, to expedite the disposal of his suit O.S.No.273/08 filed for declaration and injunction in respect of the suit cart track.

2.The counsel submits that the pleadings were completed as early as 28.01.2009 and till date, trial is not taken up.

3.The learned counsel for the revision petitioner further submitted that the petitioner being a senior citizen, if a direction is given to the Trial Court to expedite the proceedings and dispose of the suit on merits within a specific time frame, the petitioner will be able to see the end of his suit.

4.The B-Diary Extract annexed to the typed set of papers indicates since 11.03.2009, the matter is just adjourned for trial, but the case is not taken up for recording evidence. This Court, therefore, directs the plaintiff to be present on the next hearing date along with his proof affidavit and documents and submit the same to the Trial Court for commencement of trial.

5.At this juncture, the counsel for the revision petitioner submits that the suit is posted to 09.06.2017, hence, the plaintiff is given liberty to file advance hearing petition before the Trial Court. If any application to advance hearing is filed, the same may be considered by the Trial Court on merits.



With the above directions, this Civil Revision Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CSIII)

WEB COPY

/True Copy/

Sub-Assistant Registrar

To

The District Munsif Court,
Vedasanthur,
Dindigul District.

+1 cc to Mr.S.SIVA THILAKAR,ADVOCATE,SR NO.17123

nbi

MAS/SKN-RSK/SAR4:27.03.2017:2P-3C

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