



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.04.2017

CORAM :

WEB COPY

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CRP(PD) (MD)No.737 of 2017
and
C.M.P(MD)No.3388 of 2017

C.Pragasa Nithilavathy

... Petitioner

vs.

1)Kanyakumari CSI Diocese
Rep by the Bishop,
Kanyakumari CSI Diocese,
71-A, Dennis Street,
Nagercoil-629 001,
Nagercoil Village,
Agasteeswaram Taluk,
Kanyakumari District.

2)Pastor and Chairman,
Karungal CSI Home Church,
Karungal Post,
Midalam Village,
Vilavancode Taluk,
Kanyakumari District.

... Respondents

Petition filed under Article 227 of the Constitution of India, to direct the Sub Court, Padmanabapuram, to dispose of I.A.No.153 of 2015 in O.S.No.125 of 2015 within the time frame as fixed by this Hon'ble Court.

For Petitioner : Mr.N.Sivakumar

ORDER

This revision petition is filed seeking direction of this Court to the Court below to dispose of I.A.No.153 of 2015 in O.S.No.125 of 2015.

2.The learned counsel for the revision petitioner/plaintiff submitted that along with the suit for declaration challenging the appointment of officers to CSI Home Church Committee, the revision petitioner has taken out an interlocutory application seeking interim injunction. The said interlocutory application is pending without any finality. Therefore, he seeks the intervention of this Court to expedite the disposal of the interlocutory application.



3.This Court on perusal of the pleadings in the suit, finds that while the plaintiff questions the election of the office bearers of CSI Home Church Committee, the very maintainability of the suit is questioned by the defendants for non joinder of necessary parties as well as non compliance of the mandate under Order 1 Rule (8) CPC.

4.The learned counsel for the revision petitioner submits that till date, though pleadings are completed, the Trial Court has not framed issues.

5.Taking note of the above facts, the Trial Court is directed to frame issues at the earliest and commence the trial and dispose of the suit on merits preferably on or before 30.12.2017.

With the above direction, this Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

The Subordinate Judge,
Padmanabapuram.

NBI

TE/MR : 20/04/2017 : 2P/2C

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