



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 17.04.2017

CORAM

THE HONOURABLE DR. JUSTICE Dr.G.JAYACHANDRAN

C.R.P (MD) (PD) No.797 of 2017

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K.Sundaresan

...Petitioner / Plaintiff

Vs.

G.Pandiarajan

.. Respondent / Defendant

Prayer : Civil Revision Petition is filed Under Article 227 of the Constitution of India to direct the Sub-Court, Madurai to dispose the suit O.S.No.28 of 2015, on the file of the Sub-Court, Melur within the time span as fixed by this Court.

For Petitioner

: Mr. V.Raghavachari

O R D E R

This revision petitioner is filed seeking indulgence of this Court to dispose of O.S.No.28 of 2015, pending on the Sub-Court, Melur.

2. Heard the learned counsel for the petitioner and perused the materials placed on record.

3. The allegation made by the revision petitioner is that the respondent happened to be a practising Advocate, the matter is being delayed unduly. A perusal of 'B' diary extract indicates that the suit, which was filed in the month of January, 2017 was allowed to go ex-parte and later ex-parte order was set aside.

4. Written statement was filed belatedly. Even since 20.09.2016, the matter is kept adjourned periodically without framing the issues. The revision petitioner, who is entitled to submit the draft issues, has also not submitted the draft issues and waiting for the Court to frame issues on its own.

5. Hence, Revision Petition is disposed of with a direction that the trial Court shall frame issues in the next hearing and if there is any draft issues, the plaintiff is at liberty to submit the same for the Court's due consideration. After framing the issues, the trial Court is expected to dispose of the matter expeditiously without any delay. No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar



To

The Sub-Judge, Madurai.

+1cc to Mr.V.Raghavachari, Advocate, SR.52478

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