



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.10.2017

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANUC.R.P. (MD) No.829 of 2017

WEB COPY

M.Chellamuthu

... Petitioner/Petitioner

-Vs-

G.Subramanian

... Respondent/Respondent

PRAYER: Civil Revision Petition is filed, under Article 227 of the Constitution of India, to direct the Principal Subordinate Judge, Tiruchirappalli, (Thuraiyur camp), to expedite the trial in O.S.No.258/2016, within a stipulated period as fixed by this Court.

For Petitioner : Mr.Jeyakumaran

O R D E R

This Civil Revision Petition has been filed to direct the Principal Subordinate Judge, Tiruchirappalli, (Thuraiyur camp), to expedite the trial in O.S.No.258 of 2016, within a stipulated period as fixed by this Court.

2. The petitioner would aver among other things that the petitioner filed a suit in O.S.No.1057 of 2015 seeking specific performance against the respondent. The trial court issued summons to the respondent and the respondent also appeared before the Court and contested the case and thereafter, the suit was re-numbered as O.S.No.258 of 2016 and now the same is pending.

3. The respondent entered appearance before the court on 27.11.2015 and the suit was posted for filing written statement on 29.01.2016. The respondent did not file written statement for 8 months. On 02.09.2016, written statement was filed and issues were framed on 02.12.2016 and the suit was posted for trial. Thereafter, the suit was posted on 04.01.2017, 07.02.2017 and on 20.03.2017. But on that dates, the trial was not commenced.

4. The learned counsel for the petitioner would submit that though the petitioner has filed the suit in the year 2015, till date the trial has not been commenced and hence, he sought for early disposal of the above suit.

5. Since it is only a petition for early disposal of the suit, which is pending from the year 2015, no notice is necessary



to the respondent herein.

6. Considering the fact that though the suit was filed in the year 2015, the trial has not been commenced till date, this Court feels that ends of justice would be met by directing the Court below to dispose of the suit within a time frame. Without adverting to the merits of the case, a direction is issued to the learned Principal Subordinate Judge, Tiruchirappalli, (Thuraiyur camp), to dispose of O.S.No.258 of 2016 within a period of six months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (P&A)

/True copy/

Sub Assistant Registrar

To:

The Principal Subordinate Judge,
Tiruchirappalli, (Thuraiyur camp)

+ 1 CC TO MR.r.Jeyakumaran, ADVOCATE IN SR No.81768

cm

MK/GT/SAR-1/02.1.2017/2P/3C

C.R.P. (MD) No.829 of 2017

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