



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.06.2017

CORAM :

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

C.R.P. (MD).No.984 of 2017

WEB COPY

Sridharan

... Revision Petitioner/
Petitioner/Plaintiff

Vs.

1.The Tahsildar,
Ettayapuram Tahsildar,
Tuticorin District.

2.The Special Tahsildar,
Natham Scheme,
Kovilpatti,
Tuticorin District.

3.The Revenue Divisional Officer,
Kovilpatti,
Tuticorin District.

4.The District Revenue Officer,
Thoothukudi.

5.The State of Tamil Nadu,
Through its Thoothukudi District Collector,
Thoothukudi.

6.Ganesan

7.The Dharmakartha,
Kamatchi Amman Kovil (Vaduvarhal Samudahaya Kovil)
Naduvirpatti,
Ettayapuram,
Tuticorin District.

8.S.M.P.Paramasivan

9.Mariammal

... Respondents/Respondents/
Respondents

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to direct the Sub Court, Kovilpatti to dispose of I.A.No.178 of 2016 in O.S.No.108 of 2015 on the file of the Sub Court, Kovilpatti.

**ORDER**

This Civil Revision Petition is filed under Article 227 of the Constitution of India to direct the Sub Court, Kovilpatti to dispose of I.A.No.178 of 2016 in O.S.No.108 of 2015 on the file of the Sub Court, Kovilpatti, which is pending for more than 1 ½ years without final adjudication.

2.The case of the revision petitioner is that, in his suit for declaration, he has wrongly described the seventh defendant as "Dharmakartha Kammatchi Ammal Kovil Vadugar Samuthayam". Whereas, after filing the suit, a memo was filed by the seventh respondent stating that the name of the Samuthayam is "Sri Kamba Kammatchi Amman Kaliyamman Kovil Vedar Samuthayam". Therefore, he has sought for amendment of the plaint, cause title and amendment in the Interlocutory Applications filed along with the suit. In spite of notice, the respondents 1 to 5 have not filed their counter and in spite of several adjournments for want of counter, the Trial Court is not able to dispose of the amendment applications.

3.Aggrieved by that, the present revision petition is filed. As pointed out by the learned counsel for the revision petitioner, though these applications for amendment was filed as early as 08.03.2016 and notice to all the parties were served, no counter has been filed by the respondents. Respondents 7 and 8 have made an endorsement to the effect that they have no counter in the applications. Though, enough time has been granted by the trial court for filing counter, respondents 1 to 5 have not filed their counter even after making a note that no further adjournments will be granted. The case diary reveals that since 08.03.2016, the matter has been adjourned for filing counter for more than fifteen hearings in the past 1 ½ years. So it is an appropriate case to interfere and direct the Trial Court to dispose of the I.A.178 of 2016 filed in O.S.No.108 of 2015 and other consequential Interlocutory Applications expeditiously, not later by 15.07.2017.

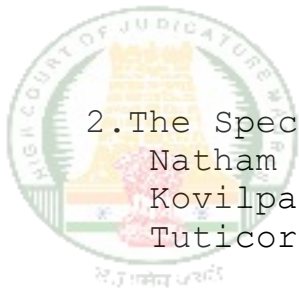
4.Accordingly, the revision petition is allowed with the above direction. No Costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To
1.The Tahsildar,
Ettayapuram Tahsildar,
<https://hcservices.ecourts.gov.in/hcservices/>
Tuticorin District.



2.The Special Tahsildar,
Natham Scheme,
Kovilpatti,
Tuticorin District.

3.The Revenue Divisional Officer,
Kovilpatti,
Tuticorin District.

4.The District Revenue Officer,
Thoothukudi.

5.The Thoothukudi District Collector,
Thoothukudi.

6.The Sub Court,
Kovilpatti.

+1cc to Mr.S.Siva Thilakar,Advocate,SR.58061

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KM/MR
KK/SV/SAR1-02.06.2017-3P-8C