

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CIVIL REVISION PETITION No.1977 of 2017

ORDER:

The present Civil Revision Petition, under Article 227 of the Constitution of India, came to be filed by the petitioners-plaintiffs seeking a direction for an early disposal of O.S.No.123 of 2014 pending on the file of the Principal Senior Civil Judge, Chittoor.

Heard the learned counsel for the petitioners and perused the material on record. There is no necessity to put respondent on notice, since this Court is not venturing to adjudicate the case on merits.

It is the case of the petitioners that they filed O.S.No.123 of 2014 seeking a direction to the defendant to vacate the plaint schedule premises, deliver the possession of the same and also for payment arrears of rent. Further, defendant herein also filed O.S.No.13 of 2015 seeking permanent injunction from evicting him from the plaint schedule premises. On an application being made by the petitioners, the said suit was transferred to the Court of Principal Senior Civil Judge, Chittoor, with a direction to try along with present suit. Thereafter, petitioners filed I.A.No.498/2015 in O.S.No.123/2014 seeking to club both the suits and record common evidence. It is the grievance of the petitioners that said I.A. is being adjourned from time to time, causing delay in disposal of the main suit.

Learned counsel for the petitioners submits that considering the nature of relief sought for in the main suit, the learned trial Judge may be directed to dispose of the suit at the earliest.

Having regard to the circumstances of the case, as the main civil suit is filed in the year 2014 seeking eviction and in order to avoid conflicting judgments, the Principal Senior Civil Judge, Chittoor, is directed to dispose of O.S.No.123 of 2014 and O.S.No.13 of 2015 together, if not already disposed of, in accordance with law, as early as possible preferably within a period of six months from the date of receipt of a copy of this order.

Accordingly, the Civil Revision Petition is disposed of.

Miscellaneous petitions pending in this revision, if any, shall stand closed. No costs.

JUSTICE C. PRAVEEN KUMAR

21.04.2017
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