

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.11.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAIWAMY

C.R.P.(PD).No.1765 of 2009

Muniappan

... Petitioner

Vs.

Doss (Deceased)

1.Rathinavelu

2.Balaji alias Venkatesan

3.Varadharajan

4.Sudhakar

Jayathilagam (Deceased)

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India seeking direction for early disposal of I.A.No.287 of 2008 in I.A.No.153 of 2008 in O.S.No.4 of 1997 on the file of the Subordinate Court, Dharmapuri.

For Petitioner : Mr.B.Soundara Pandiyan

For Respondents : Mr.K.M.Abdul Majeed for Mr.M.Sudhakar (R3 & R4)

R1 & R2 dismissed vide order dated 17.07.2018

ORDER

The petitioner has filed the above Civil Revision Petition to direct the Subordinate Judge, Dharmapuri to dispose of the application in I.A.No.287 of 2008 in I.A.No.153 of 2008 in O.S.No.4 of 1997 within a time frame.

2.The learned counsel for the petitioner submitted that though the application in I.A.No.287 of 2008 has been filed as early as in the year 2008, the trial Court has not disposed of the same till today.

3.It is pertinent to note that the suit has been filed by the plaintiff in the year 1997. Now, the suit is pending for more than 20 years.

4.In these circumstances, taking into consideration the limited prayer sought for in the Civil Revision Petition, without expressing any opinion with regard to the merits of the case, I direct the Sub Judge, Dharmapuri to dispose of the application in I.A.No.287 of 2008 in I.A.No.153 of 2008 in O.S.No.4 of 1997, on merits and in accordance with law within six weeks from the date of receipt of a copy of this order. Further, I direct the Sub Judge, Dharmapuri to dispose of the suit in O.S.No.4 of 1997 within a period of four months from the date of disposal of the application in I.A.No.287 of 2008.

5.With these observations, the Civil Revision Petition is disposed of.

No costs.

Index : Yes/No
Internet : Yes
va

16.11.2018

M.DURAIWAMY,J.
va

To

1.The Subordinate Court,
Dharmapuri.



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