

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 25.06.2018

Coram:

THE HONOURABLE **MR.JUSTICE P.VELMURUGAN**

C.R.P.(PD)No.1845 of 2018

K.R.Rajagopal (died)
1. B.Parvathavardhini
2. R.Kalaichezhiyan
3. R.Sathishkumar

... Petitioners

Vs.

T.Kasi

... Respondent

Civil Revision Petition has been filed under Article 227 of the Constitution of India seeking for direction for early disposal of the suit in O.S.No.38 of 2011 pending on the file of the learned Subordinate Judge, Arani, Tiruvannamalai District.

For Petitioners : Mr.S.Gunaseelan

ORDER

The civil revision petition has been filed seeking direction of this Court for speedy disposal of O.S.No.38 of 2011 pending on the file of the learned Subordinate Judge, Arani, Tiruvannamalai District.

2 The revision petitioners are plaintiffs and the suit is originally of the year 2006 and subsequently transferred to Principal District Court, Tiruvannamalai and again transferred to Sub Court, Arani and renumbered as O.S.No.38 of 2011. Trial was commenced and the matter was posted for cross examination of P.W.1. The respondent/defendant did not turn up and set exparte. The above suit after completion of pleadings, framing of issues and trial, came to be decreed in favour of the revision petitioners by judgment and decree dated 14.08.2015 and subsequently set aside and posted for cross of P.W.1 to P.W.4 at the insistence of the respondent/defendant. Even thereafter also the respondent/defendant has not come forward to cross examine P.W.1 to P.W.4 and dragging on the proceedings. Hence the revision petitioners seeks speedy disposal of the above suit, since it is pending from the year 2006 without any progress.

3 On a perusal of the docket orders of the trial Court, it is seen that the respondent/defendant unnecessarily dragging the proceedings and the trial Court also entertaining the same. Hence it is a fit case to give a direction to the trial Court for speedy disposal of the suit in O.S.No.38 of 2011.

4 No doubt, prolonging and protracting the suit will certainly cause serious prejudice to the plaintiffs being the affected party. Disposal of the case within the reasonable time is principles of natural justice and at any point of time, it should not be violated. Hence the trial Court is directed to dispose of the O.S.No.38 of 2011 in accordance with law within a period of four months from the date of receipt of a copy of this order.

5 With the above observation and direction, the civil revision petition is disposed of. No costs.

25.06.2018

Internet: Yes/No

Index: Yes/No

Note: Issue order copy on 27.06.2018

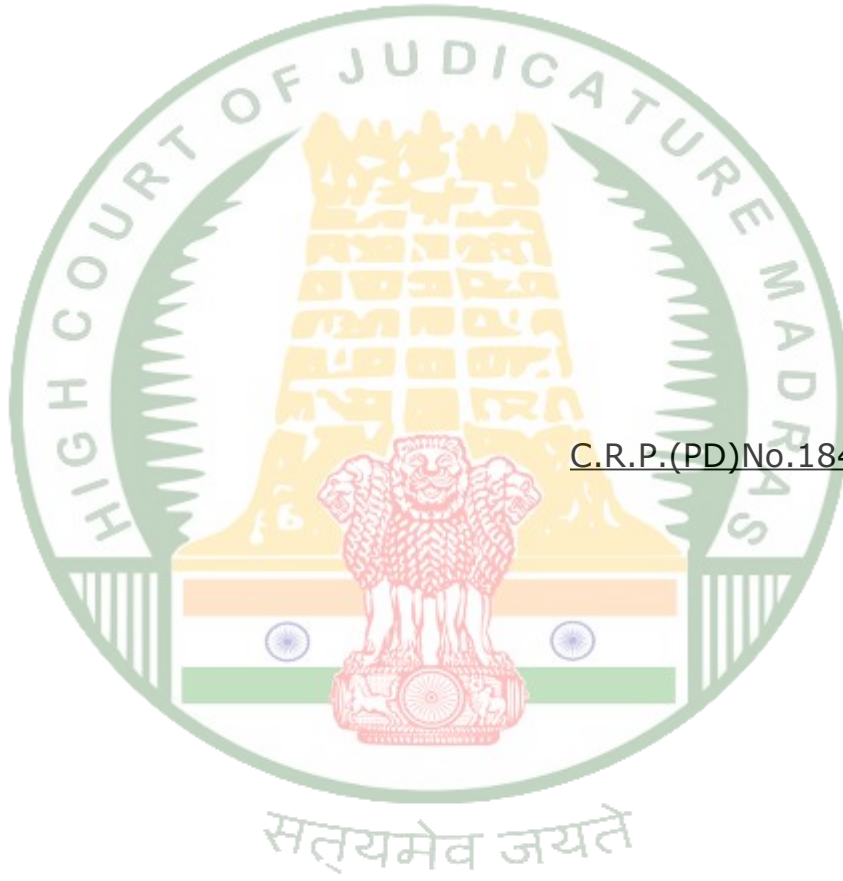
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To

The Subordinate Judge, Arani,
Tiruvannamalai District.

P.VELMURUGAN, J.,

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