

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRP (PD) No. 3095 of 2017

and

CMP. No.14480 of 2017

P. Jeyasingh

.. Petitioner

Vs.

1. Kamala
2. Mottai @ Sivanandam
3. Shanmugham
4. Shanmugavalli
5. Perumal
6. Loganathan
7. Elumalai
8. Kumar

.. Respondents

PRAYER: This Civil Revision Petition is filed under Article 227 of the Constitution of India, to strike off the plaint in O.S. No. 147 of 2017 on the file of the District Munsif Court, Chengalpattu and pass such further orders.

For Petitioner : Mr.K. S. Karthik Raja

For Respondent :

ORDER

The present Civil Revision Petition is filed seeking to strike off the plaint in O.S. No. 147 of 2017 on the file of the District Munsif Court, Chengalpattu.

2. The learned counsel for the petitioner would submit that the respondents have filed the suit in O.S. No. 147 of 2017 to declare the decree passed in O.S. No.393 of 1996 dated 30.10.2007 by the District Munsif Court, Chengalpattu as null and void. Originally the petitioner filed the suit in O.S. No.393 of 1996 seeking for declaration, against the respondent's husband Mottai @ Sivanandam. The aforesaid suit ended in favour of the petitioner and delivery of possession was also ordered. At this stage, the present suit has been filed. According to the petitioner, the respondent is dragging the proceedings for more than 20 years and hence the learned counsel for the petitioner represented that it would be suffice if this Court directs the lower court to dispose of the suit, within the time fixed by this Court.

3. It is ascertained that on receipt of summons, the petitioner has entered appearance before the trial court and the same is pending for filing of the written statement. The petitioner also undertakes to file the written statement within a period of four weeks.

4. In view of the aforesaid submissions, the trial court is directed to dispose of the suit, as expeditiously as possible, preferably within a period of six months from the date of filing of the written statement, by the petitioner.

5. The Civil Revision Petition is disposed of, with the above direction. Consequently, the connected Miscellaneous Petition is closed. No costs.

सत्यमेव जयते

25.01.2018

Index: Yes/ No

Speaking Order/Non Speaking Order

To

The District Munsif Court,
Chengalpattu.

D. KRISHNAKUMAR J.,

avr



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