

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

CRP (PD)No.432 of 2018

1.B.Thirulochana Kumar
A.K.Balakrishna Pillai (Died)
2.B.Janarthanan ... Petitioners

Vs

Saetu .. Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to tution of India seeking direction to dispose of the O.S.No.1784 of 2016 pending on the file of XI Assistant Judge, City Civil Court, Chennai, within a stipulated time fixed by this Court.

For Petitioners : Mr.R.S.Mohan

ORDER

The Civil Revision Petition has been to direct the XI Assistant Judge, City Civil Court, Chennai to dispose of the suit in O.S.No.1784 of 2016.

2. According to the petitioners, the petitioners have filed a suit in O.S.No.1784 of 2016 on the file of the learned XI Assistant Judge, City Civil

Court, Chennai for mandatory injunction. In the aforesaid suit, P.W.1 was examined and Exs.A1 to A7 were marked and chief examination was also completed as early as on 13.06.2017. Subsequently, the matter was posted on 23.06.2017 for cross examination of P.W.1. On 23.06.2017, cross examination of P.W.1 was closed and the matter was posted on 05.07.2017 for further evidence of plaintiffs' side. Again on 05.07.2017, the defendant was present, but the plaintiffs nor their counsel were present and hence, plaintiffs' side evidence was closed and the matter was posted on 25.07.2017 for defendant's side evidence. On 16.08.2017, proof affidavit filed and DW1 was examined and the matter was posted on 04.09.2017 for marking of documents. At this stage, I.A.No.14479 of 2017 has been filed and the same is pending. Hence, the suit has not been disposed of by the trial court. Therefore, the petitioners have filed the present Civil Revision Petition for direction to dispose of the interlocutory application and the said suit.

3. Considering that the revision petitioners, who are the senior citizens and also aged about 62 & 60 years respectively, this Court is inclined to direct the learned XI Assistant Judge, City Civil Court, Chennai to dispose of the application in I.A.No.14479 of 2017 as expeditiously as possible, preferably, within a period of three weeks from the date of

receipt of a copy of this order and thereafter, the Court below is also directed to dispose of the suit in O.S.No.1784 of 2016, as expeditiously as possible.

4. The Civil Revision Petition is disposed of with above direction.

No costs.

08.02.2018

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-speaking Order
kkd

To

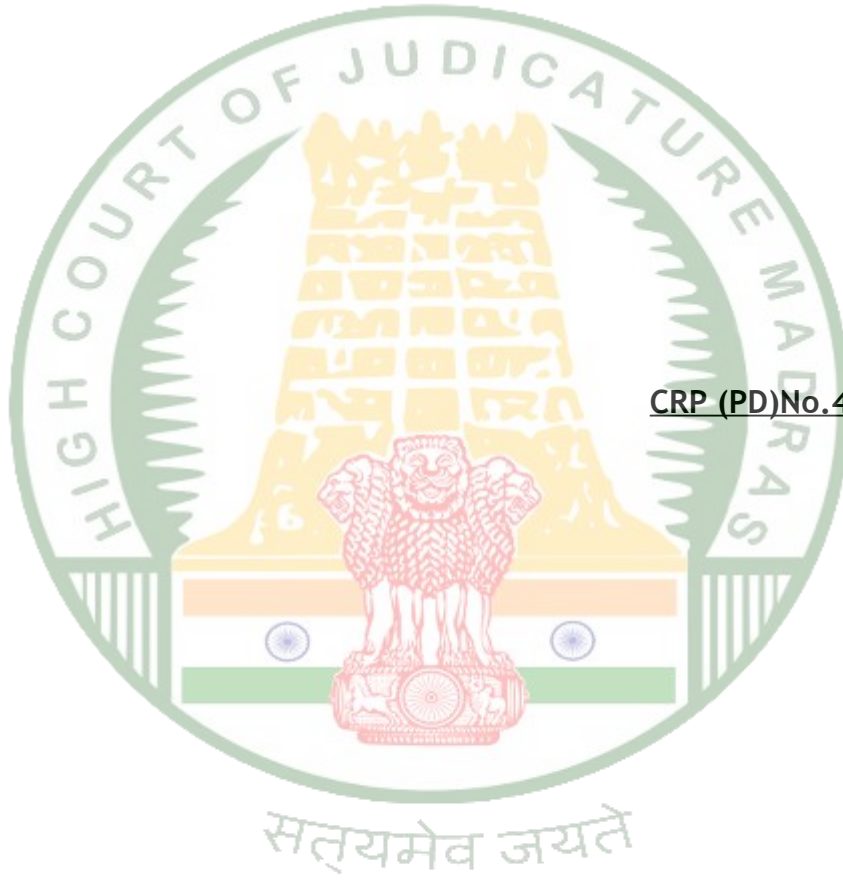
The XI Assistant Judge,
City Civil Court, Chennai,



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D.KRISHNAKUMAR,J.

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