



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2018

CORAM :

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THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (PD) (MD) No.202 of 2018

1.V.Munisamy
2.A.Jeyaraj
3.M.Sangaraiah

...Revision Petitioners/ Petitioners /
Plaintiffs

vs.

1.Mannar Thirumalai Trust,
Srivilliputtur,
The Charitable Trust,
Through its Trustee,
G.Perumal.

2.G.Perumal
3.V.Govinthan
4.Muneeyasamy
5.Perumal Dass
6.Natarajan

...Respondents/Respondents/Defendants

PRAYER: Petition filed under Article 227 of the Constitution of India, to direct the Subordinate Court, Srivilliputtur to dispose of the I.A.No.1001 of 2015 in unnumbered OS.No.-- of 2015 on the file of the Sub Court, Srivilliputtur within a specified period.

For Petitioners : Mr.K.Sudalaiyandi

ORDER

This Civil Revision Petition has been filed seeking a direction to the learned Subordinate Judge, Srivilliputtur, to dispose of the I.A.No.1001 of 2015 in unnumbered OS.No.-- of 2015, within a stipulated time as may be fixed by this Court.

2. The petitioners before this Court would submit that they have instituted a suit in O.S.No.-- of 2015, under Section 92(1) of CPC, for the relief of declaration and other reliefs against the respondents, along with a leave application in I.A.No.1001 of 2015 seeking permission to file the said suit. Instead of contesting the interlocutory application, the respondents are taking several adjournments mechanically, thereby, dragging on the proceedings. Aggrieved thereby, the present petition came to be filed seeking a direction for early disposal of the interlocutory application in I.A.No.1001 of 2015.



3. Heard the learned Counsel for the petitioners and perused the materials available on record. Notice to the respondents is dispensed with, since the prayer itself is for a limited scope seeking early disposal of the interlocutory application in I.A.No.1001 of 2015.

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4. Considering the facts and circumstances of the case and also the limited scope of the prayer sought for, this Court, without going into the merits of the case, directs the learned Subordinate Judge, Srivilliputtur to dispose of the interlocutory application in I.A.No.1001 of 2015, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the Civil Revision Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To
The Subordinate Judge,
Srivilliputtur.

+1CC to Mr.K.Sudalaiyandi, Advocate, SR.No.46370

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gk
AM/SV MMS/SAR 3/15.02.2018/2P/3C