



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.02.2018

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P.(MD)No.262 of 2018 (PD)

R.K.Ganesan

.. Petitioner /Plaintiff

Vs.

P.Ashok

... Respondent / Defendant

PRAYER: Petition filed under Article 227 of the Constitution of India, praying to direct the learned Subordinate Judge, Kovilpatti, Tuticorin District, to dispose of O.S.No.124 of 2013 within a stipulated time.

For Petitioner : Mr.S.Ramasamy

ORDER

This civil revision petition has been filed by the revision petitioner / plaintiff, seeking a direction to the Subordinate Judge, Kovilpatti to dispose of O.S.No.124 of 2013 within a stipulated period.

2. The learned counsel appearing for the revision petitioner would submit that the revision petitioner / plaintiff has filed the money suit, on the basis of the promissory note executed by the respondent / defendant. The respondent / defendant remained *ex parte* even after receipt of notice and therefore, the respondent / defendant was set *ex parte* in the suit on 14.07.2014. Thereafter, it was adjourned several times by the trial Court stating pendency of impleading petition. The grievance of the revision petitioner / plaintiff is that though the suit has been filed in the year 2013, the same is being adjourned by the trial Court unnecessarily and therefore, he has come up with this civil revision petition for the aforesaid prayer.

3. Since the case is for a limited relief of early disposal, no notice need be sent to the respondent.

4. Considering the limited relief sought for by the revision petitioner / plaintiff, without going into the merits and demerits of the allegation raised by the revision petitioner, this civil revision petition is disposed of with the following direction:



The learned Subordinate Judge, Kovilpatti, Tuticorin District, is directed to dispose of O.S.No.124 of 2013, pending on his file, on merits and in accordance with law, as early as possible, preferably within a period of six months from the date of receipt of copy of this order.

5. No order as to cost.

Sd/-

Assistant Registrar (AD-I)

/True Copy/

Sub Assistant Registrar

To

The Subordinate Judge,
Kovilpatti, Tuticorin District.

+1cc to Mr.S.Ramasamy, Advocate Sr.No.47094

GCG

VB/SKN/RSK/SAR3/01.03.2018/2P/3C

C.R.P. (MD) No.262 of 2018 (PD)
08.02.2018