



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.03.2018

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (PD) (MD) No.328 of 2018

Lakshmi

... Petitioner / Defendant

vs.

1.Elangovan

2.Sundaramoorthy

3.Thirugnanasambantham

... Respondents / Plaintiffs

PRAYER: Petition filed under Article 227 of the Constitution of India, to direct the learned District Munsif, Tanjore to expedite the trial and to dispose of the case in O.S.No.359 of 2012 within a stipulated time frame.

For Petitioner : Mr.K.K.Samy

ORDER

This Civil Revision Petition has been filed seeking a direction to the learned District Munsif, Tanjore, to dispose of the suit in O.S.No.359 of 2012, within a stipulated time as may be fixed by this Court.

2. According to the petitioner, he is cultivating the suit property and he is in possession and enjoyment of the suit property for more than 40 years. His possession has already been accepted by the Trial Court in O.S.No.949 of 1992, which was confirmed by the Appellate Court and his title over the suit property was also declared. Such being so, the respondents herein, as plaintiffs, have filed the present suit in O.S.No.359 of 2012, against the petitioner herein, seeking permanent injunction. It is the grievance of the petitioner that though the present suit is ripe for trial, the same is still pending, as the respondents are taking mechanical adjournments and hence, the petitioner is before this Court seeking a direction to the learned Judge for early disposal of the suit proceedings.

3. Heard the learned Counsel for the petitioner 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 suit proceedings.

4. Considering the facts and circumstances of the case and also the fact that the suit is of the year 2012, this Court is of the view that ends of justice will be met if a direction is issued to the learned Judge for early disposal of the suit proceedings. Accordingly, without adverting into the merits of the case, the learned District Munsif, Tanjore, is directed to dispose of the suit in O.S.No.359 of 2012 within a period of six months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

The District Munsif,
Tanjore.

+ 1 cc TO Mr.K.K.Samy , Advocate in SR No. 52553

gk

AE/SV MMS/SAR2/19.03.2018/2P/3C

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