



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.02.2018

CORAM

**THE HONOURABLE MRS. JUSTICE J. NISHA BANU**

C.R.P. (MD) No. 334 of 2018 (PD)

WEB COPY

1. A. Iyyachamy  
2. I. Vanitha

.. Petitioners /  
Respondents

Vs.

Periyasamy (died)

1. M. Dhanuskodi  
2. V. Muthuramu

... Respondents /  
Appellant

PRAYER: Petition filed under Article 227 of the Constitution of India, praying to direct the learned Subordinate Judge, Aruppukottai, Virudhunagar District, to dispose of A.S.No.15 of 2017 within a stipulated time.

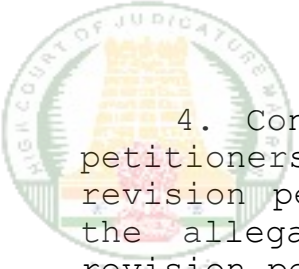
For Petitioner : Mrs. Lakshmi Gopinathan

#### ORDER

This civil revision petition has been filed by the revision petitioner / plaintiff, seeking a direction to the learned Subordinate Judge, Aruppukottai to dispose of A.S.No.15 of 2017 within a stipulated period.

2. The learned counsel appearing for the revision petitioners would submit that the respondents / plaintiffs have filed the suit for declaration and permanent injunction against the revision petitioners / defendants and after trial, the same was dismissed, against which the respondents / plaintiffs have filed an appeal in A.S.No.15 of 2017 on 02.01.2017. The first revision petitioner is aged about 75 years. The grievance of the revision petitioners is that the suit was decreed in their favour. But, the respondents / plaintiffs are not permitting them to enjoy the suit property under the guise of pendency of this appeal suit. Though the appeal suit was filed by the respondents / plaintiffs as early as on 02.01.2017, till date no progress is made and hence, they have come up with this civil revision petition for the aforesaid prayer.

3. Since the petition is filed for a limited relief of early disposal, no notice need be sent to the respondents.



4. Considering the limited relief sought for by the revision petitioners / defendants and also considering the age of the 1<sup>st</sup> revision petitioner, without going into the merits and demerits of the allegation raised by the revision petitioners, this civil revision petition is disposed of with the following direction:

WEB COPY  
The learned Subordinate Judge, Aruppukottai, Virudhunagar District, is directed to dispose of A.S.No.15 of 2017, 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(RTI)

/True Copy/

Sub-Assistant Registrar

To

The Subordinate Judge,  
Aruppukottai,  
Virudhunagar District.

+One cc to M/s.Polax Legal Solutions, Advocate, SR.No.49247

gcg  
RL/3C/2P/SKN/RSK/SAR2/28/2/2018

C.R.P. (MD) No.334 of 2018 (PD)

16.02.2018