



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2018

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (PD) (MD) Nos.409 & 410 of 2018

R.G.Srinivasan ... Petitioner/Petitioner/13th Defendant
in C.R.P (MD) No.409 of 2018

T.N.Jayachandran ... Petitioner/Petitioner/6th Defendant
in C.R.P (MD) No.410 of 2018

vs.

T.K.Narayanan ... Respondent in both petitions/
Respondent/Plaintiff

COMMON PRAYER: Civil Revision Petitions are filed under Article 227 of the Constitution of India, to direct the lower Court i.e., The Additional District Judges Court, (Fast Track Court), Kumbakonam to pass orders in I.A.Nos.47 & 48 of 2016, respectively, in O.S.No.120 of 2015 as early as possible within the time frame fixed by this Hon'ble Court.

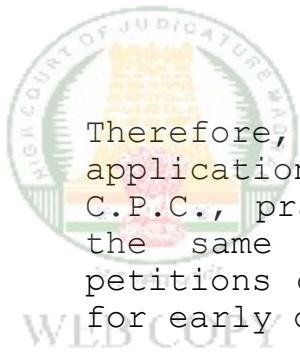
For Petitioners : Mr.T.R.Subramanian
for Mr.M.V.Santharaman
(In both petitions)

COMMON ORDER

As the issue involved in both the petitions are similar in nature, they are disposed of by this common order.

2. These Civil Revision Petitions have been filed seeking a direction to the learned Additional District Judge, Fast Track Court, Kumbakonam, to dispose of the petitions in I.A.Nos.47 & 48 of 2016, respectively, in O.S.No.120 of 2015, within a stipulated time as may be fixed by this Court.

3. The petitioners before this Court are the 13th & 6th defendant, respectively, in the suit in O.S.No.120 of 2015, instituted by the respondent herein, as plaintiff. It is the case of the petitioners that the respondent/plaintiff has filed the present petition seeking the earlier judgement of this Court in C.M.A.No.52 of 2013 dated 22.01.2013 as well as the judgment passed in an earlier connected suit in O.S.No.16 of 2011 dated 29.04.2014.



Therefore, the petitioners have filed two separate interlocutory applications in I.A.Nos.47 & 48 of 2016 under Order VI Rule 16 of C.P.C., praying to struck off the plaint in O.S.No.120 of 2015. As the same are kept pending without any progress, the present petitions came to be filed seeking a direction to the learned Judge for early disposal of the said petitions.

4. Heard the learned Counsel for the petitioners and perused the materials available on record. Notice to the respondent is dispensed with, since the prayer itself is for a limited scope seeking early disposal.

5. Perusal of the B-Diary extract would go to show that though these interlocutory applications were filed as early as on 05.11.2015, the matter was continuously adjourned, right from 18.11.2016, under the caption "for clarification". Hence, the present petitions came to be filed seeking early disposal.

6. 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 Additional District Judge, Fast Track Court, Kumbakonam, to dispose of the petitions in I.A.Nos.47 & 48 of 2016, respectively, in O.S.No.120 of 2015 within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above directions, these Civil Revision Petitions are disposed of. There shall be no order as to costs.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

The Additional District Judge,
Fast Track Court, Kumbakonam.

Copy To :-

The Principal District Judge, Thanjavur.

+ 2 CC TO Mr.T.R.SUBRAMANIAN, ADVOCATE IN SR No. 51382 & 51383

GK

TE/KKR/SAR-2 : 06/03/2018 : 2P/5C

<https://hcservices.ecourts.gov.in/hcservices/>

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