



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.03.2018

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (PD) (MD) No.5 of 2018

P.Ranjith Amalan

... Petitioner

vs.

1.P.Peter

2.The Joint Sub-Registrar

O/o. Joint Sub-Registrar No.1,
Thiruchirappalli.

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to dispose of the O.S.No.370 of 2009 pending on the file of the II Additional District Munsiff, Trichirappalli, within a time frame that may be fixed by this Court.

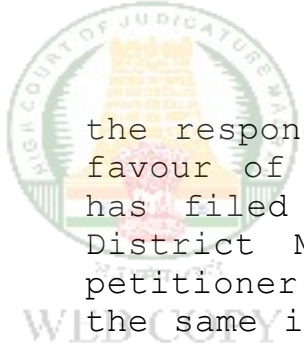
For Petitioner : Mr.K.Saburkhan

For Respondents : No Appearance

ORDER

This Civil Revision Petition has been filed seeking early disposal of the suit in O.S.No.370 of 2009 pending on the file of the II Additional District Munsiff, Trichirappalli.

2. The petitioner would aver among other things that the suit in O.S.No.370 of 2009 was filed by the petitioner herein/plaintiff against the respondent herein/defendant for the relief of declaring the cancellation of Gift settlement deed dated 29.08.2008, as null and void and for other reliefs. The petitioner herein is the third son of the respondent. The respondent executed a gift settlement deed on 22.10.2007 in favour of the petitioner herein, in respect of a house property, situated at No.22, Old Koil Street, Palakkarai, Trichy by virtue of a registered document No.5619/2007 and another vacant house site plot to the extent of 1200 sq.ft., situated at Manikandam village, Trichy district, by virtue of a registered document No.5618/2007. Due to family dispute, the petitioner's wife has given a complaint against the respondent / defendant and their family members. Aggrieved over the same, on 29.08.2008 vide document No.5068/2008,



the respondent has cancelled the gift settlement deed executed in favour of the petitioner. Against which, the petitioner herein has filed suit in O.S.No.370 of 2009 before the II Additional District Munsiff, Trichirappalli. The learned counsel for the petitioner would submit that though the suit is of the year 2009, the same is still pending for trial, since the respondent, by one way or other, is adopting delaying tactics. Therefore, the petitioner is before this Court for the aforesaid relief.

3. Heard the learned Counsel for the petitioner and perused the materials available on record.

4. Though, notice has been served and name was also printed in the cause list, there is no appearance for the respondents either in person or through counsel.

5. Perusal of the B-Diary extract would fortify the contention of the learned Counsel for the petitioner.

6. Considering the facts and circumstances of the case and also the fact that the suit is of the year 2009, 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 II Additional District Munsiff, Trichirappalli, is directed to dispose of the suit in O.S.No.370 of 2009 within a period of six months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To

The II Additional District Munsiff,
Trichirappalli.

+ 1 cc TO Mr.K.Sabur Khan , Advocate in SR No. 54155

pnn

AE/SKN RSK/SAR2/18.04.2018/2P/3C