



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.03.2018

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (PD) (MD) No.506 of 2018

Hazarath Nabi Sallallahu Alaihiwasallam
Fathiha Waqf, Tiruchirappalli,
Rep. by its Managing Trustee
M.Abdul Khader
having office at No.7, Jalal Khudri Street,
Madurai Road, Tiruchirappalli - 8. .. Petitioner/ Plaintiff

Vs.

1.A.K.Kalifullah
2.Tamil Nadu Waqf Board,
Rep. by its Chief Executive Officer,
No.1, Jaffar Sirang Street,
Vallal Seethakadhi Nagar,
Chennai - 600 001. ..Respondents / Defendants

PRAYER: Petition filed under Article 227 of the Constitution of India, to direct the learned II Additional District Munsif Court, Tiruchirappalli to dispose of the O.S. No.1081 of 2014, within a time limit fixed by this Court.

For Petitioner : Mr.M.Karunanithi

ORDER

The Civil Revision Petition has been filed seeking a direction to the learned II Additional District Munsif Court, Tiruchirappalli to dispose of the O.S. No.1081 of 2014, within a stipulated time as fixed by this Court.

2. The petitioner would submit that the petitioner/plaintiff has filed a suit in O.S.No.1081 of 2014 for the relief of recovery of possession, arrears of rent, damages and permanent injunction and to hand over the possession of the suit schedule mentioned property to the petitioner without any let or hindrance. Though the suit has been filed in the year 2014, the respondents who are the defendants in the suit, have not filed their written statement, upto 2017.

3. The grievance of the revision petitioner is that the respondents are prolonging the case and the matter is pending right from the year 2014 and the same is being adjourned by the trial Court, periodically and therefore, the petitioner has come up with



this civil revision petition for the aforesaid prayer.

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

5. Since the case is for a limited relief of early disposal, no notice is necessary to the respondents.

6. A perusal of the 'B' Diary extract would go to show that as stated by the learned counsel for the petitioner, the case has been adjourned on several occasions without any valid reason. Therefore, this Court, without going into the merits of the allegation raised by the revision petitioner, is inclined to direct the Court below to dispose of the suit in O.S.No.1081 of 2014, within a stipulated period.

7. In view of the above, the learned II Additional District Munsif, Tiruchirappalli, is directed to dispose of suit in O.S.No.1081 of 2014, on merits and in accordance with law, within a period of one year from the date of receipt of a copy of this order.

8. The Civil Revision Petition is ordered accordingly. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

The II Additional District Munsif,
Tiruchirappalli.

+1CC to Mr.M.Karunanithi, Advocate, SR.55070

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AM/SV MMS/SAR 2/23.03.2018/2P/3C