



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 15.03.2018

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

WEB COPY

C.R.P. (PD) (MD) No.557 of 2018

Tiruchirappalli Town,
Hazarath Khader, Aulia Wakf, Tiruchirappalli,
Rep. by its Muthawalli,
Janaba Mehtaj, D/o. Baba Jan,
having office at Jalal Khudri Street,
Madurai Road,
Tiruchirappalli - 8. .. Petitioner/ 1st Respondent/ Plaintiff
Vs.

1. Syed Ibrahim Rasheed .. 1st Respondent / Appellant /
1st Defendant

2. Sajanajan

3. Tamil Nadu Wakf Board,
Rep. by its Chief Executive Officer,
No.1, Jaffar Sirang Street,
Vallal Seethakadhi Nagar,
Chennai - 600 001. .. Respondents 2 & 3 / Respondents 2 & 3 /
Defendants 2 & 3

PRAYER: Petition filed under Article 227 of the Constitution of India, to direct the learned Subordinate Judge, Tiruchirappalli to dispose expeditiously of the A.S. No.12 of 2017, against O.S.No.13/2014 on the file of Principle District Munsif, Tiruchirappalli 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 Subordinate Judge, Tiruchirappalli to dispose of the A.S. No.12 of 2017, 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.13 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. The said suit was decreed on 03.11.2016, against which the 1st respondent/1st defendant has preferred an appeal in A.S.No.12 of 2017. Though the appeal has been filed in the year 2017, the same is pending for the past one year without any



progress, for awaiting lower Court records. Now the case is posted for arguments on 19.03.2018. Originally, the property belongs to the Wakf Board and the respondents are enjoying the rental premises. The rental building is very worst in condition and the same will be collapsed at any time and therefore, the petitioner has come up with this civil revision petition for the aforesaid prayer.

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

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

5. 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 posted for arguments on 19.03.2018. 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 A.S.No.12 of 2017, within a stipulated period.

6. In view of the above, the learned Subordinate Judge, Tiruchirappalli, is directed to dispose of suit in A.S.No.12 of 2017, on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

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

sd/
Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

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To

1 The Subordinate Judge, Tiruchirappalli.

2 The Principal District Munsif, Tiruchirappalli.

Copy To : The Record Keeper,
V.R.Section,
Madurai Bench of Madras High Court, Madurai.
+1cc to Mr.M.Karunanithi, Advocate in SR.No.55791