



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.03.2018

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (PD) (MD) No.561 of 2018

1.Bagavathy Ammal
2.Mahalakshmi

... Petitioners

vs.

1.Krishnan Nadar
Muthu Krishnan (Died)
2.Moorthy Nadar

... Respondents

PRAYER: Petition filed under Article 227 of the Constitution of India, to direct the Subordinate Court, Valliyoor to dispose of O.S.No.41 of 2014 on the file of the Sub Court, Valliyoor, within a time frame as fixed by this Hon'ble Court.

For Petitioners : Mr.A.Arumugam

ORDER

This Civil Revision Petition has been filed seeking a direction to the learned Subordinate Judge, Valliyoor, to dispose of the suit in O.S.No.41 of 2014, within a stipulated time limit.

2. Among other things, the learned Counsel for the petitioners would submit that the first respondent herein, as plaintiff, has filed the suit in O.S.No.41 of 2014 before the Sub Court, Valliyoor, for declaring the sale deed dated 26.11.1992 (vide document No.1798/1992 of Kalakad Sub Registrar) as null and void. It is the grievance of the petitioners that though they had filed their written statements on 08.03.2015 and issues were also framed as early as on 31.07.2015, the suit is still pending and for commencing trial, the matter has been continuously adjourned, however, trial has not even commenced. Aggrieved thereby, the present petition came to be filed.

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

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

4. Perusal of B-Diary Extract would fortify the contention of



the learned Counsel for the petitioners that despite several adjournments, trial has not been commenced yet.

5. Considering the facts and circumstances of the case and also the fact that the suit is of the year 2014, 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 advertng into the merits of the case, the learned Subordinate Judge, Valliyoor, is directed to dispose of the suit in O.S.No.41 of 2014 within a period of six months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To

The Subordinate Judge,
Valliyoor.

+ 1 cc TO Mr.A.Arumugam , Advocate in SR No. 56681

gk

AE/SKN RSK/SAR4/04.04.2018/2P/3C

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