



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Wednesday, the Sixth day of February Two Thousand Nineteen

PRESENT

THE HONOURABLE MRS.JUSTICE S.RAMATHILAGAM

WEB COPY

Civil Revision Petition(MD) No.579 of 2018

BADHURISHA

... Petitioner

Vs

1 A. RAJAMOHAMED

2 NAZEEM BANU

3 MIRIAM BIVI

4 WILOFER NISHA

... Respondents

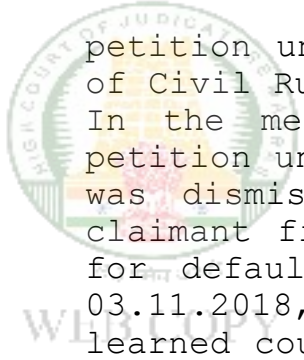
Petition filed under Article 227 of the Constitution of India, praying this Court to issue a direction, directing the District Munisif Kodaikanal to dispose of the suit in O.S.No.13 of 2009 expeditiously and within the stipulated time as fixed by this Court

ORDER : This Civil Revision petition coming on for hearing on this day, upon perusing the letter received from the District Munisif -cum-Judicial Magistrate, Kodaikanal, dated.03.10.2018 in D.No.1906/2018 and the grounds of Petition, earlier order of this court and the material papers of the Petition and upon hearing the arguments affidavit filed in support thereof and upon hearing the arguments of M/S.S.Jenifer Evangelin Veroni, Advocate for the petitioner, this Court made the following order:

The matter has been listed today under the caption 'for extension of time'.

2.This Court by an order dated 16.03.2018 in the Civil Revision Petition, has directed the learned District Munsif, Kodaikanal, to dispose of the suit in O.S. No.13 of 2009, within a period of six months.

3.Now, the learned District Munsif, Kodikanal, vide letter dated 03.10.2018 has requested extension of time stating that the defendants filed a counter claim on 23.07.2018, which was taken on file on 30.07.2018. Thereafter the suit was posted for reply statements on the side of the plaintiff till 27.08.2018 and for framing issues till 29.08.2018. The suit was posted for trail on 31.08.2018, on that day a petition was filed under Order 17 Rule 1 of CPC and the same was allowed and the suit was posted for trail on 03.09.2018. He submitted that he was on medical leave from 03.09.2018 to 23.09.2018. On 25.09.2018, the plaintiff filed a



petition under Order 14 Rule 17 and Section 151 of CPC and Rule 61 of Civil Rules of Practice and the same was pending till 02.11.2018. In the meantime, the counsel for the counter claimant filed a petition under Order 6 Rule 17 and Section 151 of CPC and the same was dismissed for default on 11.10.2018 and thereafter, counter claimant filed a petition to restore the I.A., which was dismissed for default on 11.10.2018. The suit was posted for trail on 03.11.2018, on that day, P.W.1 called absent and at request of the learned counsel for the plaintiff the suit was posted on 08.11.2018 for marking of documents.

4.Hence, time is extended for four months and the learned District Munsif, Kodikanal, is directed to dispose of the suit within four months from the date of receipt of this order.

Sd/-
Assistant Registrar(cs-III)

/True Copy/

Sub Assistant Registrar(cs-I)

TO

1.The District Munisif,
Kodaikanal

ORDER DATED:06.02.2019
ORDER
CRP(MD) No.579 of 2018

SP/RSK/SAR-1 (15.02.2019) 2P 2C