



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.04.2018

CORAM

THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

CRP(MD) .No.793 of 2018 (PD)

WEB COPY

M.Mohammed Mustafa

... Petitioner/Petitioner/Plaintiff

Vs.

The Muslim Orphanage Committee,
Represented by its Secretary,
Khadir Nagar,
High Grounds,
Tirunelveli-627 011

... Respondent/Respondent/Defendant

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the Principal District Munsif Court, Tenkasi to expedite and to complete the trial in I.A.No.833 of 2016 in O.S.No.568 of 2010 within the stipulated time.

For Petitioners : Mr.S.Sivasubramanian

O R D E R

This civil revision petition has been filed to direct the Principal District Munsif Court, Tenkasi to expedite and to complete the trial in I.A.No.833 of 2016 in O.S.No.568 of 2010 within the stipulated time.

2.Heard Mr.S.Sivasubramanian, learned counsel appearing for the petitioner.

3.The petitioner, who is the plaintiff in the suit in O.S.No.568 of 2010 on the file of the learned Principal District Munsif, Tenkasi, has filed a petition in I.A.No.833 of 2016, seeking restoration of the suit, which was dismissed for default on 20.01.2016, due to non appearance of the petitioner/plaintiff.

4.Though the petition was filed on 08.02.2016, the same is kept pending till date, without any progress. Therefore, the petitioner approached this Court by invoking extraordinary jurisdiction under Article 227 of the Constitution of India, seeking a direction to the learned Principal District Munsif, Tenkasi, to expedite the I.A.No.833 of 2016 in O.S.No.568 of 2010 and dispose of the same within the stipulated time.

5.Since the petitioner has only sought for a relief in the petition to expedite the trial, this Court without issuing any notice to the respondent, pass orders in this case and hence, no



prejudice would be caused to the respondent in passing such orders.

6. In the result, this civil revision petition is disposed of with a direction to the learned Principal District Munsif Court, Tenkasi to pass appropriate orders in I.A.No.833 of 2016 in O.S.No.568 of 2010, on merits and in accordance with law, by conducting enquiry on day to day basis, within a period of one month from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Principal District Munsif, Tenkasi.

2. The Record Keeper, (2 copies)
VR Section,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.Sivasubramanian, Advocate Sr.No.60639

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VB/JC/SAR3/04/05/2018/2P/5C

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