

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 04.06.2018****CORAM****WEB COPY****THE HONOURABLE MR.JUSTICE M.V. MURALIDARAN**C.R.P(MD).No.986 of 2018

M. Hariharan

... Petitioner

Vs.

1.K. Jothiananda Vadivel
2.K. Shanmugananda Vadivel
3.K. Lakshmi Narayanan
4.G. Santhanalakshmi
5.B. Asha
6.M. Annapoorani(minor)
rep. by her mother and
natural Gaurdian B. Asha

... Respondents

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India to direct the learned Subordinate Judge, Madurai, to expedite the trial in O.S.No.104 of 2018 within the time frame, as may be fixed by this Court.

For Petitioners

... Mrs. Thenmozhi Shivaperumal

ORDER

The petitioner has filed the present Civil Revision Petition invoking Article 227 of the Constitution of India praying for a direction to the learned I Additional Subordinate Judge, Madurai, to dispose of the Suit in O.S.No. 104 of 2018, within a stipulated period of time.

2. Heard the learned counsel appearing for the petitioner. Since the case is for a limited relief of early disposal, no notice need be sent to the respondents.

3. The revision petitioner / plaintiff has filed a suit in O.S.No. 104 of 2018 on the file of the learned I Additional Subordinate Judge, Madurai, against the respondents / defendants for partition and he has also obtained an order of ad-interim temporary injunction in I.A.No.29 of 2018 in O.S.No. 104 of 2018, against the defendant Nos. 2 and 3 / respondent Nos. 2 and 3 on 12.02.2018 not to construct any building over the suit property. But, the third respondent herein had constructed the building by violating the injunction order. Hence, the petitioner has filed the present Civil Revision Petition seeking a direction to dispose the O.S.No.104 of 2018, within a stipulated time.



4. Considering the limited relief sought for by the revision petitioner, without going into the merits and demerits of the allegation raised by the revision petitioner, this civil revision petition is disposed of with the following directions:

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"The learned I Additional Subordinate Judge, Madurai, is directed to dispose of O.S.No.104 of 2018, pending on his file, on merits and in accordance with law, as early as possible, preferably within a period of Eight months from the date of receipt of a copy of this order, on day to day basis, without giving any further adjournment. Both the parties are directed to give their fullest co-operation for trial."

5. No order as to costs.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

The I Additional Subordinate Judge, Madurai.

+1cc to Mrs. Thenmozhi Shivaperumal, Advocate Sr.No.66555

TRP

VB/KKR/SAR3/13.06.2018/2P/3C

C.R.P (MD) .No.986 of 2018
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