



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.06.2018

CORAM

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THE HONOURABLE MR.JUSTICE M.V. MURALIDARAN

C.R.P (MD) .No.1004 of 2018

A. Devaraj (died)

1.Sendukodi

2.Revathi

3.Balakrishnan

... Petitioners

Vs.

1.Shanthi

2.M. Arjunan

3.A. Rani

4.C. Prabhu

5.P. Rajan

6.P. Mayakannan

... Respondents

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India to direct the learned District Munsif, Thirumangalam, to expedite the trial in I.A.No.46 of 2015 in O.S.No. 86 of 2007, within a stipulated period fixed by this Court.

For Petitioner

... Mr. J. Jayakumaran

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 District Munsif, Thirumangalam, to dispose of the I.A.No. 46 of 2015 in O.S.No. 86 of 2007, within a stipulated period of time.

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

3. The revision petitioners / plaintiffs have filed a suit in O.S.No.86 of 2007 on the file of the learned District Munsif, Thirumangalam, for declaration and permanent injunction and the same was dismissed for non-prosecution. Hence, the petitioners have filed an impleading petition along with the restoration petition in I.A.No. 46 of 2015 and the same has been pending for more than two years without any progress. Hence, the



petitioners have filed the present Civil Revision Petition seeking a direction to dispose the I.A.No.46 of 2015 within a stipulated time.

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

"The learned District Munsif, Thirumangalam, is directed to dispose of I.A.No. 46 of 2015 in O.S.No.86 of 2007, pending on his file, on merits and in accordance with law, as early as possible, preferably within a period of 30 days from the date of receipt of a copy of this order, on day to day basis, without giving any further adjournment and on passing orders in I.A.No. 46 of 2015 the learned District Munsif, Thirumangalam is directed to report the same before this Court within a period of 10 days, thereafter."

5. No order as to costs.

Sd/
Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar

To

The District Munsif, Thirumangalam.

+1cc to Mr.J.JEYAKUMARAN, Advocate, SR.No.66609

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