



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 02.01.2018

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
C.R.P. (PD) (MD) No.2615 of 2017

WEB COPY

P.Arulappan

.. Petitioner / Plaintiff

vs.

Kalaiselvan

... Respondent / Defendant

PRAYER: Petition filed under Article 227 of the Constitution of India, to direct the Subordinate Judge, Valiyoor to dispose of the suit in O.S.No.127 of 2013 as expeditiously as possible.

For Petitioner : Mr.A.Arumugam

ORDER

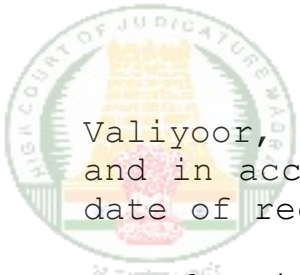
The above Civil Revision Petition has been filed seeking a direction to the learned Subordinate Judge, Valiyoor, to dispose of the suit in O.S.No.127 of 2013, within a stipulated time as fixed by this Court.

2. The petitioner is the plaintiff in the suit and he is aged about 85 years. The suit was filed on 10.07.2013 and the defendant has filed his written statement as early as on 24.03.2014. The issues have also been framed and trial has also commenced on 23.12.2014 itself. Since 23.12.2014, though the suit was posted for trial, it was adjourned continuously once in three months, without any further improvements and therefore, the petitioner has filed the present petition seeking early disposal of the suit proceedings.

3. Heard the learned Counsel for the petitioner and perused the materials available on record.

4. The prayer in the petition itself is with a limited prayer for speedy disposal of O.S.No.127 of 2013 and therefore, no notice is necessary to the respondent.

5. Considering the facts and circumstances of the case, this Court is of the view that ends of justice would be met, if a direction is issued to the trial Court for early disposal of the suit proceedings. Accordingly, having regard to the submissions made by the learned Counsel for the petitioner and also taking into consideration the limited prayer sought for by the petitioner, this Court, without expressing any opinion with regard to the merits of the case, directs the learned Subordinate Judge,



Valiyoor, to dispose of the suit in O.S.No.127 of 2013, on merits and in accordance with law within a period of six months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar

To

The Subordinate Judge,
Sub Court,
Valliyoor.

+1cc to Mr.A.ARUMUGAM, Advocate, SR.40086

C.R.P. (PD) (MD) No.2615 of 2017
02.01.2018

GK

KK/SV MMS/SAR 2/17.01.2018/ 2P- 3C/