



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 27.06.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

C.R.P. (PD) (MD) No.1264 of 2018

D.Balamaniammal ... Petitioner/Defendant
Vs.
R.Padmaseenivasan ... Respondent/Plaintiff

Prayer: The Civil Revision Petition is filed under Article 227 of the Constitution of India seeking for a direction to expedite the disposal of the Civil Suit in O.S.No.18 of 2016 on the file of the Principal District and Sessions Court, Virudhunagar at Srivilliputhur.

For Petitioner : Mr.J.Lawrance

O R D E R

The Civil Revision Petition has been filed for a direction to the Principal District and Sessions Court, Virudhunagar at Srivilliputhur to dispose of the Civil Suit in O.S.No.18 of 2016 within a time frame fixed by this Court.

2. The respondent is the plaintiff and he has filed a suit in O.S.No.18 of 2016 before the Principal District and Sessions Court, Virudhunagar at Srivilliputhur seeking for a direction to the petitioner/defendant to receive the balance amount of Rs.60,00,000/- and execute a sale deed in favour of the respondent / plaintiff, pursuant to the sale agreement dated 19.01.2014. The said suit has been filed in the year 2016 and it is pending for more than 2 years without any further progress. Therefore, the petitioner has approached this Court by invoking the jurisdiction under Article 227 of the Constitution of India, seeking for a direction to the Principal District and Sessions Court, Virudhunagar at Srivilliputhur to dispose of the suit in O.S.No.18 of 2016 within a particular period.

3. Heard the learned counsel for the petitioner and perused the materials placed before this Court.

4. The learned counsel appearing for the petitioner would submit that the petitioner/defendant is ready and willing to execute the sale deed in favour of the respondent/plaintiff, on receipt of amount of Rs.60,00,000/-, as per the compromise



agreement, dated 19.01.2014. However, the respondent/plaintiff, with an intention to avoid payment to the petitioner/defendant, has filed the suit in O.S.No.18 of 2016.

5. Since the petitioner has sought for only a limited prayer for early disposal of the suit in O.S.No.18 of 2016, no notice is necessary to the respondent, which would cause no prejudice anyway to the respondent. It is an admitted fact that the suit has been pending for more than two years without any further progress. Therefore, I am inclined to pass the following order:

The Principal District and Sessions Court, Virudhunagar at Srivilliputhur is directed to dispose of the suit in O.S.No.18 of 2016 within a period of three months from the date of receipt of a copy of this order, on day-to-day basis without giving any adjournment to either parties. The parties are also directed to give their fullest co-operation for early disposal of the suit within the time limit fixed by this Court for passing orders.

6. The Civil Revision Petition is disposed of, with the above directions. No costs.

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge,
Virudhunagar at Srivilliputhur.
2. The Section Officer, V.R. Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

Copy To:-

The Section Officer, Judicial Section,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.J.LAWRANCE, ADVOCATE IN SR No. 70220

AKV

TE/SV/SAR-2 : 03/07/2018 : 2P/6C