



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2018

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

C.R.P(MD)No.1322 of 2018

K.Manoharan

... Petitioner

Vs.

1.Bharathi Educational Service Trust,
Through its Present Chairman,
S.Noorjahan,
W/o.Sahul Hameed,
Door No.55B (Old Door No.15),
Kattabomman Street,
Kayathar, Kovilpatti Taluk,
Tuticorin District.

2.S.Noorjahan

3.Suganya

4.R.Veerapandiyan

5.T.Mumtaj

6.S.Peer Abdul Rahman

7.Sahul Hameed

... Respondents

PRAYER:- This Civil Revision Petition is filed under Article 227 of the Constitution of India, seeking a direction to the learned Principal District Judge, Tuticorin, to dispose the pending Interlocutory Application in I.A.No.57 of 2017 in O.S.No.26 of 2017, within a period that may be stipulated by this Court.

For Petitioner

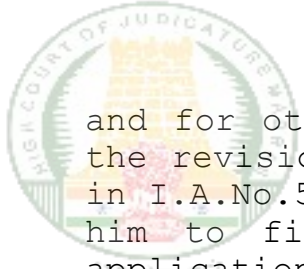
: Mr.P.Ganapathi Subramanian

ORDER

The petitioner has filed the present Civil Revision Petition invoking Article 227 of the Constitution of India, seeking a direction to the learned Principal District Judge, Tuticorin, to dispose of I.A.No.57 of 2017 in O.S.No.26 of 2017, within a stipulated time to be fixed by this Court.

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

3.The revision petitioner / plaintiff has filed a suit in O.S.No. 26 of 2017 before the Principal District Court, Tuticorin, for framing a scheme with reference to the first respondent Trust



and for other reliefs and the same is pending. In the said suit, the revision petitioner has also filed an Interlocutory Application in I.A.No.57 of 2017 seeking to grant leave of the Court, permitting him to file the suit in a representative capacity. The said application is pending for more than one year without any progress. Hence, the petitioner has filed the present Civil Revision Petition seeking a direction to the learned Principal District Judge, Tuticorin, to dispose of I.A.No.57 of 2017 in O.S.No.26 of 2017, within a time frame to be fixed by this Court.

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 direction:

The learned Principal District Judge, Tuticorin, is directed to dispose of I.A.No.57 of 2017 in O.S.No.26 of 2017, pending on his file, on merits and in accordance with law, as early as possible, preferably within a period of four weeks from the date of receipt of a copy of this order, on day to day basis, without giving any adjournment to both the parties and thereafter, decide the suit on merits and in accordance with law.

No order as to costs.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

The Principal District Judge,
Tuticorin.

+1cc to Mr.P.Ganapathi Subramanian, Advocate, SR.No.70794.

C.R.P (MD) No.1322 of 2018
03.07.2018

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RAM/RSK/SAR 2/13.07.2018/2P/3C