



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

C.R.P. (PD) (MD) No.1383 of 2018

K.Manoharan

... Revision Petitioner/Plaintiff

Vs.

1.S.Noorjahan

2.Suganya

...Respondents/Defendants

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the learned Principal District Judge, Tuticorin to dispose the pending suit in O.S.No.107 of 2017 within a period stipulated by this Court.

For Petitioner : Mr.P.Ganapathy Subramanian

O R D E R

This Civil Revision Petition is filed for a direction to the learned Principal District Judge, Tuticorin to dispose the pending suit in O.S.No.107 of 2017 within the stipulated period.

2.The petitioner is the plaintiff and he has filed a money suit in O.S.No.107 of 2017 before the Principal District Court, Tuticorin against the respondents. The said suit has been filed in the year 2017 and the same is pending for one year without any further proceedings. 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 learned Principal District Judge, Tuticorin, to dispose of the O.S.No.107 of 2017, within a particular period.

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

4.The suit in O.S.No.107 of 2017 has been filed in the year 2017 and for more than one year, it was continuously adjourned. It is seen from the 'B' dairy extract, which clearly shows that the matter has been posted for trial.

5. Since the petitioner has sought for a limited prayer for early disposal of the suit, no notice is necessary to the respondents, which would cause no prejudice anyway to the respondents. It is an admitted fact that the suit is pending from 2017 onwards, but the learned Principal District Judge, Tuticorin,



has not taken any action to dispose of the suit, which is pending for more than one year. Therefore, I am inclined to pass the following order:

The learned Principal District Judge, Tuticorin, is directed to dispose of the suit in O.S.No.107 of 2017 within a period of four 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. The learned Principal District Judge, Tuticorin, is directed to file a compliance report before this Court within a period of ten days after passing orders in the suit in O.S.No.107 of 2017.

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

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1.The Principal District Judge,
Tuticorin.

2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.(2 Copies)

+1CC to Mr.P.Ganapathi Subramanian Advocate in SR.No.72178.

NS

DS/RP/SAR-3 :27.07.2018: 2P/5C

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