



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

C.R.P. (MD) No.1400 of 2018

1. S.Mohamed Kani
2. M.Jeenath Nisa Begam
3. M.Abdul Salam
4. M.Mohamed Sithik
5. M.Taj Nisa Begam

.. Petitioners/Plaintiff

Vs.

S. Jahir Hussain

.. Respondent/Defendant

PRAYER: Petition filed under Article 227 of the Constitution of India, to direct the learned District Judge, Sivagangai, to expedite the trial in O.S. No.24 of 2016, within the time stipulated by this Court.

For Petitioner : Mr.R.Pon Karthikeyan

ORDER

This Civil Revision Petition has been filed seeking a direction to the learned District Judge, Sivagangai, to expedite the trial in O.S. No.24 of 2016, within the time stipulated by this Court.

2. The petitioners are the plaintiffs and the respondent is a defendant in O.S.No. 24 of 2016. The plaintiffs have filed a suit in O.S.No.24 of 2016 for partition of the suit schedule properties and the suit is pending from 20.12.2016 for framing of issues alone. It is stated that the suit is filed in the year 2016 and the matter has been prolonged for a long time without any progress and that a direction may be given by this Court for an early disposal, in the interest of justice.

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

4. A perusal of the 'B' Diary extract would fortify the contentions made by the learned counsel for the petitioner.

5. The case has been adjourned on several occasions without any valid reason.



6. Therefore, this Court, without going into the merits of the allegation raised by the revision petitioner, is inclined to direct the Court below to dispose of the O.S.No.24 of 2016, within the stipulated period.

7. In view of the above, the learned District Judge, Sivagangai, is directed to dispose of the suit in O.S. No.24 of 2016, on merits and in accordance with law, within the period of three months, from the date of receipt of a copy of this order, after issuing notice to both the parties.

8. The Civil Revision Petitions is ordered accordingly. No costs.

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS-III)

To

The District Judge,
Sivagangai.

+1cc to M/S.R.Pon Karthikeyan, Advocate SR.No. 71746

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JM/PN/SAR 3/27.07.2018/2P/3C