



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

C.R.P. (MD) No.1431 of 2018

1. Hazarath Nabi Sallalaho
Allahu Alaihi Vasallam Trust.
2. B. Abdul Kadar,
Managing Trustee,
Female Line Trustee. .. Petitioners/Defendant Nos.2 & 3
Vs.
1. Syed Ismail .. Respondent/Plaintiff
2. The Tamil Nadu Wakf Board
represented by its Chief Executive Officer, Chennai -1.
3. S. Jahangir
4. Shaik Mubarak .. Respondents/Defendants Nos.1,4 & 5

PRAYER: Petition filed under Article 227 of the Constitution of India, to direct the learned District Munsif, Tiruchirappalli to dispose expeditiously in O.S.No.69 of 2017 and to pass Decree and Judgment, within the time stipulated by this Court.

For Petitioner : Mr.M. Karunanithi

ORDER

This Civil Revision Petition has been filed seeking a direction to the learned District Munsif, Tiruchirappalli to dispose expeditiously in O.S.No.69 of 2017 and to pass Decree and Judgment, within the time stipulated by this Court.

2. The revision petitioners are the defendants-2 & 3 and the first respondent is a plaintiff and the respondents-2,3,4 are the defendants- 1,4,5. The plaintiff has filed a suit in O.S.No.69 of 2017 before the learned District Munsif, Tiruchirappalli for the relief of permanent injunction against the respondents-3 & 4 and not interfering the plaintiff peaceful possession of petition mentioned property without any let or hindrance. He would further submit that the defendants-3 & 4 are wantonly and deliberately dragging the proceedings even after commencement of trial. It is stated that the suit in O.S.No.69 of 2017 is filed in the year 2017 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. 69 of 2017, within the stipulated period.

7. In view of the above, the learned District Munsif, Tiruchirappalli is directed to dispose of the O.S.No. 69 of 2017, on merits and in accordance with law, within the period of six months, from the date of receipt of a copy of this order, after issuing notice to both the parties.

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

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS-IV)

To
The District Munsif Judge,
Tiruchirappalli.

+1 CC to Mr.M.KARUNANITHI, Advocate in SR.No.72973

KSA
RJ/SKN/RSK/SAR-4/27/07/2018 - 2P/3C

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