



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

C.R.P. (MD) (PD) No. 1606 of 2018

1. N. Suresh Babu

2. G.N. Madhanagopal

..Petitioners/Appellants 1 and 2/
Defendants 1 and 2

Vs.

1. D. Venkitasubramanian

.... 1st Respondent/ 1st Respondent/
Plaintiff

2. D. Rajendran

.. 2nd Respondent/ 2nd Respondent/
3rd Defendant

PRAYER: Petition filed under Article 227 of the Constitution of India, to direct the learned Sub Judge, Palani to dispose of A.S. No.34 of 2016, within the time stipulated by this Court.

For Petitioner : Mr.R. Jegadeeswaran

ORDER

This Civil Revision Petition has been filed seeking a direction to the learned Sub Judge, Palani to dispose of A.S. No.34 of 2016, within the time stipulated by this Court.

2. The revision petitioners herein is the defendants-1 & 2 and the 1st respondent herein is the plaintiff and the 2nd respondent herein is the 3rd defendant in the suit in O.S.No.263 of 2012. The 1st respondent herein/plaintiff has filed a suit in O.S.No.263 of 2012 before the learned District Munsif, Palani for permanent injunction and the above said suit was also decreed in favour of the respondents-1 & 2 herein/plaintiff and the 3rd defendant on 22.01.2016. As against the fair and decretal order, an appeal in A.S. No.34 of 2016 was filed before the learned Sub-Judge, Palani. It is stated that the appeal 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.

WEB COPY 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 petitioners, is inclined to direct the Court below to dispose of the A.S. No.34 of 2016, within the stipulated period.

7. In view of the above, the learned Sub Judge, Palani, is directed to dispose of the A.S. No.34 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 Petition is ordered accordingly.
No costs.

Sd/-
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-III)

To

The Sub-Judge,
Palani.

+1cc to Mr.R. Jegadeeswaran, Advocate Sr.No.75825

KSA

VB/MMS/SAR3/11.08.2018/2P/3C

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