

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 03.08.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN****C.R.P. (PD) (MD)No.1671 of 2018**

Mrs.Rajamani Ammal

...Petitioner/Plaintiff

Vs.

1.S.Manoharan

2.S.Ganesan

3.S.Rathinammal

...Respondents/Defendants

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the learned Principal District Munsif, Aruppukkottai to dispose expeditiously the O.S.No.59 of 2002 and to pass decree and judgment within a period as fixed by this Court and grant such other reliefs.

For Petitioner

: M/s.N.Irfana Fathima

O R D E R

This Civil Revision Petition is filed for a direction to the learned Principal District Munsif, Aruppukkottai to dispose the suit in O.S.No.59 of 2002 and to pass decree and judgment within a stipulated period.

2.The petitioner is the plaintiff and the respondents are the defendants in the suit in O.S.No.59 of 2002. The petitioner has filed a suit before the Principal District Munsif Court, Aruppukkottai, for declaration and recovery of possession, against the respondents. The said suit has been filed in the year 2002 and the same is pending for more than 16 years 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 Munsif, Aruppukkottai , to dispose of the suit in O.S.No.59 of 2002, within a particular period.

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

4.The suit in O.S.No.59 of 2002 has been filed in the year 2002 and for more than sixteen years, it was continuously adjourned. It is seen from the 'B' dairy extract, which clearly shows that the matter has been adjourned for arguments.



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 2002 onwards, but, the Principal District Munsif, Aruppukkottai, has not taken any action to dispose of the suit, which is pending for more than sixteen years. Therefore, I am inclined to pass the following order:

The Principal District Munsif, Aruppukkottai, is directed to dispose of the suit in O.S.No.59 of 2002 within a period of one month 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 Principal District Munsif, Aruppukkottai, 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.59 of 2002.

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

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar(CS-II)

To

The Principal District Munsif,
Aruppukkottai.

+1cc to M/s.N.Irfana Fathima, Advocate SR.No.77276

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VB/KAK/SAR2/04.09.2018/2P/3C