



FORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.11.2018

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P (MD) .No.2533 of 2018 (PD)

Muthu

... Petitioner/
3rd defendant

Vs.

1.Asai Thambi

... 1st respondent /
Plaintiff2.The State rep. by
the District Collector,
Trichy District.3.The Tahsildar,
Thuraiyur.

4.Ramasamy

... Respondents 2 to 4/
Defendants 1, 2 & 4

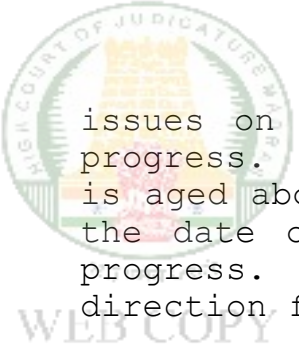
PRAYER:- Civil Miscellaneous Petition filed under Article 227 of the Constitution of India, praying to direct the learned District Munsif, Thuraiyur, Trichy District to dispose of the suit in O.S.No.123 of 2016 on his file as expeditiously as possible within a stipulated time.

For petitioner : Mr.K.M.Karunakaran

For respondents 2 & 3 : Mr.M.Karuppasamy,
Government Advocate**ORDER**

This civil revision petition has been filed by the petitioner seeking for a direction to the learned District Munsif, Thuraiyur to dispose of the suit in O.S.No.123 of 2016 within a stipulated time.

2. According to the petitioner / 3rd defendant, the 1st respondent / plaintiff has filed the suit in O.S.No.258 of 2008 for the relief of declaration and permanent injunction against the petitioner and the respondents 2 to 4 herein. After framing the



issues on 14.02.2018, the case is pending for trial without any progress. The grievance of the petitioner / 3rd defendant is that he is aged about 70 years and though two and half years have gone from the date of filing of the suit, the suit is pending without any progress. Hence, he has filed this revision petition seeking a direction for early disposal of the suit.

3. Heard the learned counsel for the petitioner / 3rd defendant and the learned Government Advocate appearing for the official respondents. In view of the limited relief sought for by the petitioner, this Court is of the view that notice need not be sent to the respondents.

4. In view of the above and also considering the fact that the suit is pending for about 2-1/2 years and also considering the age of the petitioner / 3rd defendant, this Court is inclined to issue the following direction to the Court below:

The Court below is directed to conduct the case on day-to-day basis, complete the trial and dispose of the suit on merits and in accordance with law, within a period of six months from the date of receipt of a copy of this order. The Court below is directed to send the compliance report to the Registry of this Court. Both the parties are directed to cooperate with the Court below for early disposal of the case. No costs.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

The District Munsif,
Thuraiyur,
Trichy District.

+1CC TO Mr.K.M.Karunakaran, Advocate, Sr No.96285

C.R.P (MD) .No.2533 of 2018

22.11.2018

gcg

MS/VR-MMS/SAR-1/27.11.2018/2P.3C