



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2018

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (PD) (MD) .Nos.1874 and 1875 of 2018

Saminathan

... Petitioner in both CRPs

Vs.

1.Punniyamoorthy

2.G.Ramalingam

... Respondents in both CRPs

PRAYER in C.R.P. (PD) (MD) .No.1874 of 2018: Petition filed under Article 227 of Constitution of India, to set aside the fair order and decreetal order dated 13.04.2017 in I.A.No.139 of 2018 in O.S.No.290 of 2011 on the file of the Additional Subordinate Judge, Thanjavur.

PRAYER in C.R.P. (PD) (MD) .No.1875 of 2018: Petition filed under Article 227 of Constitution of India, to set aside the fair order and decreetal order dated 13.04.2017 in I.A.No.140 of 2018 in O.S.No.290 of 2011 on the file of the Additional Subordinate Judge, Thanjavur.

For petitioners : Mr.P.Ganapathi Subramanian

ORDER

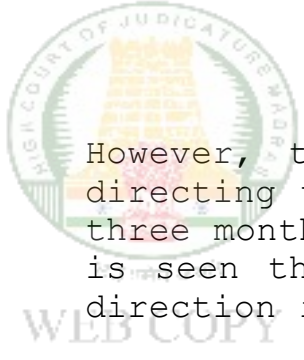
The second defendant in O.S.No.290 of 2011 on the file of the Additional Sub Court, Thanjavur, is the revision petitioner in both these Civil Revision Petitions. The said suit has been filed for specific performance. The first defendant filed I.A.No.139 and 140 of 2018 for reopening and recalling himself. The Court below by order dated 13.04.2017 has allowed both the I.As. These orders are questioned in these Civil Revision Petitions.

2.Heard the learned counsel appearing for the petitioner.

3.The primary grievance of the revision petitioner appears to be that even without assigning any reason, the first defendant has succeeded in his application and that the same petition was filed only to drag on the proceedings.

<https://hcservices.ecourts.gov.in/hcservices/>

4.I am of the view that for these reasons, the order impugned in this Civil Revision Petition, need not be set aside.



However, the revision petitioner can be granted some relief by directing the disposal of the main suit itself, within a period of three months from the date of receipt of a copy of this order. It is seen that the suit is of the year 2011 and therefore, such a direction is issued.

5. With this direction, these Civil Revision Petitions are dismissed. No costs.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar(CS-I)

To:

1. The Additional Sub Judge,
Thanjavur.
2. The Record Keeper, (2 copies)
VR Section,
Madurai Bench of Madras High Court,
Madurai.

Pnn

VB/RP/SAR1/01.10.2018/2P/4C

**ORDER MADE IN
C.R.P. (PD) (MD) .Nos.1874
and 1875 of 2018
04.09.2018**