

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**Dated : 25.07.2019**

CORAM:

**THE HON'BLE MR. JUSTICE M.GOVINDARAJ**

**C.R.P.(PD) No. 2411 of 2019**

1. Paiyammal
2. Sidhammal
3. Thambidurai
4. Kavitha
5. Santhi
6. Gunasekaran
7. Priya
8. Minor pavithra

... Petitioners

Vs.

1. Rajammal
2. The Executive Officer,  
Town Panchayat, Jalakandapuram.
3. The Assistant Director,  
Town Panchayat, Salem.
4. The Director of Town Panchayat,  
Chennai.
5. The Tahsildar, Mettur Taluk.
6. The District Collector,  
Salem District

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the District Munsif, Mettur to decide the suit in O.S.No.108 of 2018 pending on its file within a time fixed by this Court.

For Petitioner : M Prabaharan Ka.

**ORDER**

The revision petitioners are the defendants in OS.No.108 of 2018 filed by the 1<sup>st</sup> respondent herein before the District Munsif Court, Mettur seeking for the following reliefs;

1. a declaration declaring the plaintiff is the legal heir of the deceased Sidhuraj;
2. restraining the defendants 1 to 8 from getting the terminal benefits belongs to the plaintiffs payable to the family of the deceased Sidhuraj from the other 9 to 13 defendants;
3. directing the 12<sup>th</sup> defendant is serving legal heirship certificate of Sidhuraj by included the name of the plaintiff means to mandatory injunction.

2. According to the petitioners/defendants they are legally entitled to receive the terminal benefits of the deceased Sidhuraj, but the 1<sup>st</sup> respondent/plaintiff has claimed that she is the first wife of the deceased Siddhuraj and the official respondents have refused to give the terminal benefits and pension in her favour for want of proof. Then she filed a suit seeking for the above said reliefs and the same is pending for the past one year.

3. Learned counsel for the petitioners would submit that the 1<sup>st</sup> petitioner is a senior citizen and due to the pendency of the suit for the past one year, the petitioners are prevented from getting the terminal benefits of the deceased and getting employment to any one of the eligible person under compassionate appointment. Thus he prayed this Court that the suit may be directed to be disposed of earlier.

4. Considering the fact that the 1<sup>st</sup> petitioner is a senior citizen aged 77 years, this Court is inclined to grant the relief as prayed for.

5. Accordingly, a direction is given to the District Munsif Court, Mettur to dispose of the suit as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order. No costs.

6. The Civil Revision Petition is disposed of with the above direction.

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**25.07.2019**

Speaking Order/Non Speaking Order

Index : Yes/No

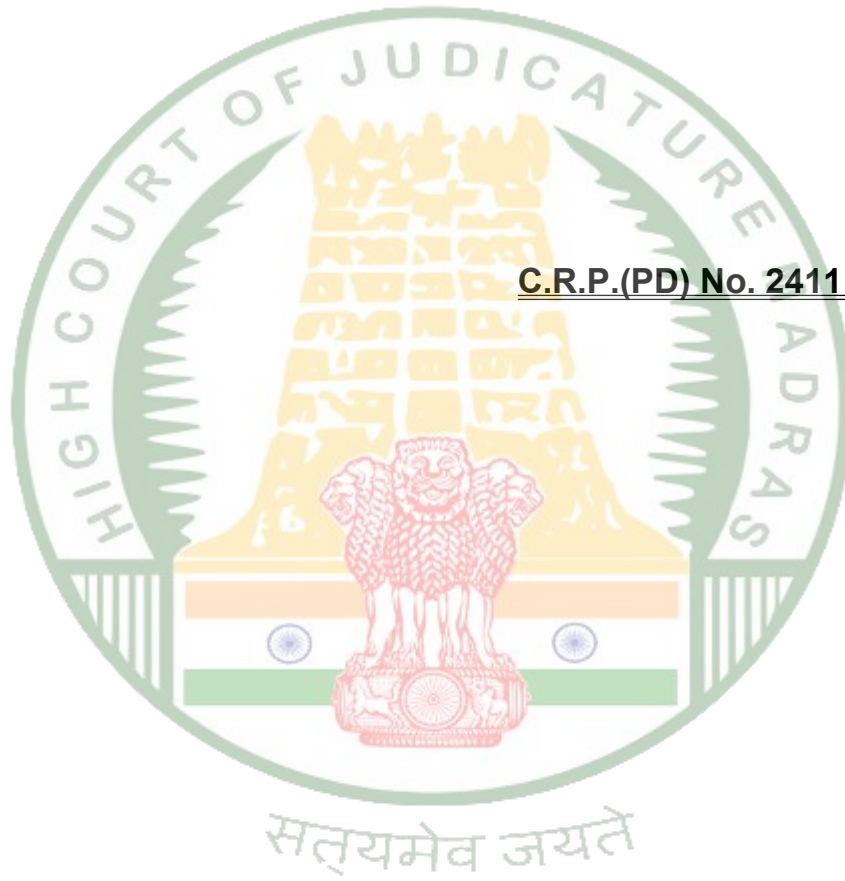
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To

The District Munsif, Mettur.

**M. GOVINDARAJ,J.**

msr



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