

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:13.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

C.R.P.(PD) No.2619 OF 2019
and
C.M.P.No.17301 OF 2019

Johnshi Manuel

... Petitioner

Vs.

1.J.C.Sampath Kumar

2.S.Christopher

3.G.Dyvasirvadam

4.Thomas K.OOman

... Respondents

PRAYER : Civil Revision Petition filed under Article 227 of Constitution of India, praying to direct the XIII Assistant Judge, City Civil Court, Chennai, to dispose of the Restitution Petition filed by the petitioner under Section 144 of Civil Procedure Code in I.A.No.12921 of 2016 in O.S.No.3452 of 2013.

For Petitioner

: Mr.Immanuel.A

For Respondents

: No Appearance

ORDER

The third plaintiff before the trial Court is the revision petitioner. Pursuant to the order passed by this Court in C.R.P.No.3222 of 2015 dated 15.04.2016, the petitioner filed a Restitution Petition in I.A.No.12921 of 2016 in O.S.No.3452 of 2013 and the same is pending on the file on XIII Assistant Judge, City Civil Court, Chennai, without any disposal from the year 2016. Aggrieved over the long pendency of the suit, the petitioner seeks a direction to the Court below for early disposal of the application. The Application is said to be pending for the past three years. If the interim application is maintainable, it shall be disposed of within one month or as expeditiously as possible. Considering the long pendency, this court is inclined to issue direction to the learned XIII Assistant Judge, City Civil Court, Chennai to pass orders in I.A.No.12921 of 2016 in O.S.No.3452 of 2013.

2. Accordingly, the learned XIII Assistant Judge, City Civil Court, Chennai is directed to dispose of I.A.No.12921 of 2016 in O.S.No.3452 of 2013, on merits and in accordance with law, within a period of one month from the date of receipt of copy of this order.

3. The Civil Revision Petition is disposed of with the above direction. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

13.08.2019

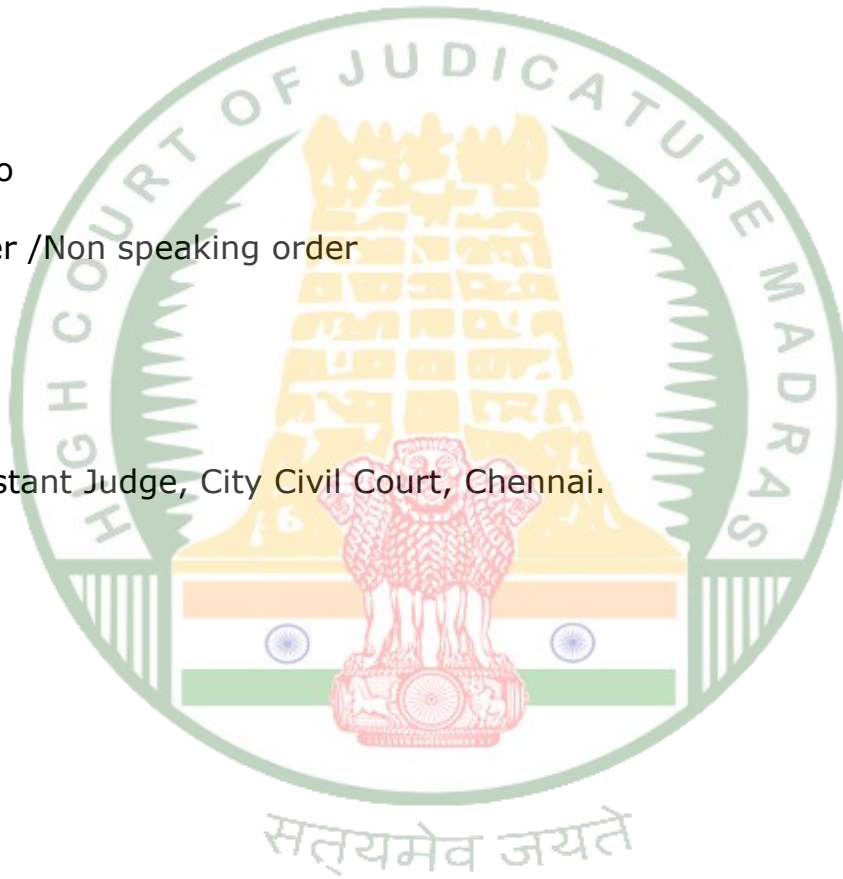
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Index: Yes/ No

Speaking order /Non speaking order

To

The XIII Assistant Judge, City Civil Court, Chennai.



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M.GOVINDARAJ, J

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