

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2019

CORAM

THE HONOURABLE Mr.JUSTICE R.SURESH KUMAR

C.R.P.(PD).No.3050 of 2019

1.K.Subramaniam

2.S.Thangavel

3.K.Sivasami

... Petitioners

Vs.

1.C.Rangathal

2.K.Rathinambal

3.Murugappa Gounder

4.R.Thulasimani

5.S.Kaleeswari

6.J.Priya

7.Minor S.Vijayakumar

8.Minor S.Mounika

(The Minor respondents 7 and 8 are
represented by guardian next friend
their mother fifth respondent Kaleeswari)

9.S.Poongodi

... Respondents

This Civil Revision Petition is filed under Article 227 of the Constitution of India to issue direction to the learned II Additional District Judge at Tripur, to dispose of the I.A.No.1584 of 2018 in O.S.No.335 of 2018, on the file of the II Additional District Court, Tripur.

For Petitioner : Mr.R.Siddharth

ORDER

This Civil Revision Petition has been filed with a prayer to direct the learned II Additional Additional District Judge at Tiruppur, to dispose of the I.A.No.1584 of 2018 in O.S.No.335 of 2018, on the file of the II Additional District Court, Tripur.

2. When the Civil Revision Petition came up for hearing on 12.09.2019, this Court passed the following order:

"Notice to the respondents returnable in two weeks. Private notice is also permitted.

2. In the meanwhile, the learned II Additional District Judge, Tiruppur is hereby directed to furnish a list of cases (number of cases) pending before the said Court and also the stage of the I.A.No.1584 of 2018 in O.S.No.335 of 2018."

3. Pursuant to the same, the learned counsel appearing on behalf of the petitioner has filed proof of service, where all the respondents were served except third respondent, from whom, the acknowledgment yet to be received.

4. In the meanwhile, the learned First Additional District and Sessions Judge, Tiruppur, has sent a report, dated 23.09.2019, by stating that the II Additional District Court, Tiruppur is vacant from 13.08.2019 and she has placed on Additional Incharge of the

said Court, where 1683 cases are pending. After she took charge of the II Additional District Court, Tiruppur, 788 cases are pending.

5. She further submitted that I.A.No.1584 of 2018 in O.S.No.335 of 2018 came up first time for hearing on 18.09.2019. However, on that day, the learned Judge recorded that both sides not present and the matter is posted on 21.10.2019 for both side arguments.

6. Be that as it may. Now the case is posted only on 21.10.2019 and that day, as accepted by both sides, let counsel shall appear and argue the case. In such eventuality of both sides appearing and arguing the matter on 21.10.2019 and also on subsequent dates, after completion of the arguments by both sides within reasonable time, preferably, within 30 days from the date of completion of arguments, the said IA shall be disposed of, on merits and in accordance with law.

7. With the above directions, the Civil Revision Petition is dismissed.

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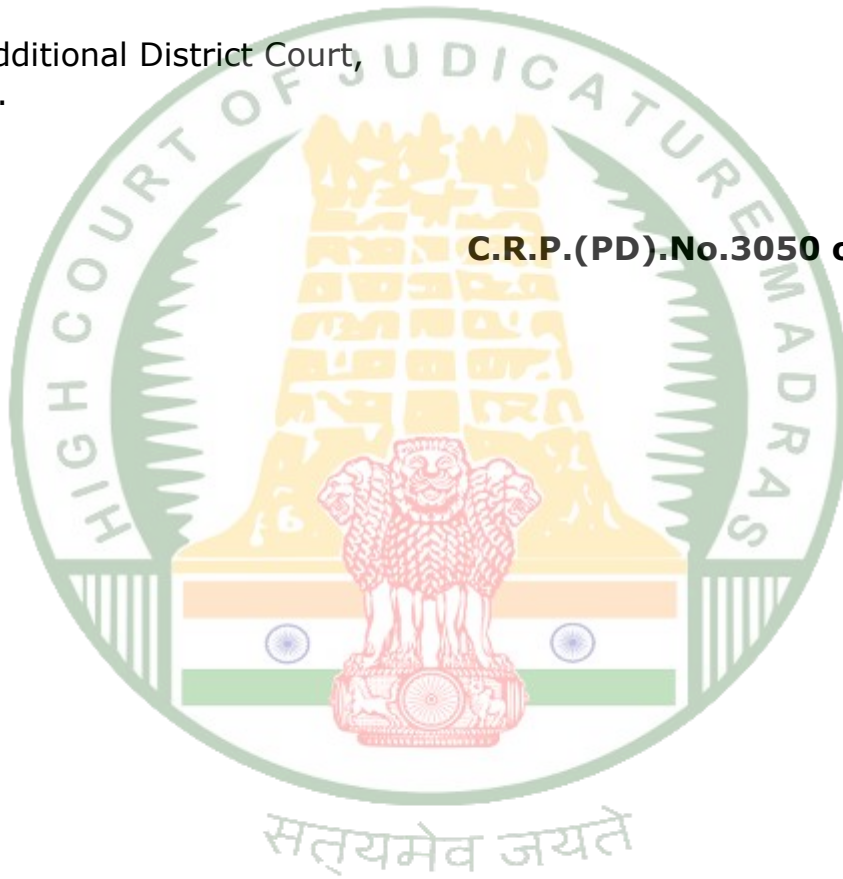
26.09.2019

R.SURESH KUMAR,J.

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Index:Yes/No
Internet:Yes/No
Speaking/Non Speaking order

To
The II Additional District Court,
Tiruppur.



C.R.P.(PD).No.3050 of 2019

26.09.2019

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