

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2019

CORAM

THE HON'BLE MR. JUSTICE **R.PONGIAPPAN**

CRP.PD.No.3776 of 2019

M.Senthil

...Petitioner

Vs.

1.P.Perumal
2.A.Murugesan
3.V.Pushpa Leelavathi
4.T.V.Dhanavanthan
5.T.V.Parthiban
6.T.V.Marimuthu

..Respondents

PRAYER:

The Civil Revision Petition is filed under Article 227 of the Constitution of India for a direction to dispose of I.A.No.2 of 2019 in O.S.No.393 of 2010 on the file of the District Munsif Court, Tirupatthur.

For Petitioner : Mr.R.Neelakandan

ORDER:

The plaintiff in O.S.No.393 of 2010 on the file of the District Munsif Court, Tirupattur is the revision petitioner. Before the trial

court, the petitioner herein filed an application under Order 26 Rule 10 read with Section 151 of Code of Civil Procedure in I.A.No.2 of 2019 for the relief to set aside the report dated 14.11.2016 filed by the Advocate Commissioner. As of now, the petition is kept pending for filing objection by the respondents. Only in the said occasion, the petitioner is before this Court with the present Civil Revision Petition and prayed the relief of direction directing the learned District Munsif, Tirupattur to dispose the said I.A. in a time framed manner.

2.Today when the petition is came up for admission, the learned counsel appearing for the petitioner is present and seeks permission to withdraw the Civil Revision Petition with liberty to approach the court below for appropriate relief, if any further delay in the disposal of I.A.No.2 of 2019.

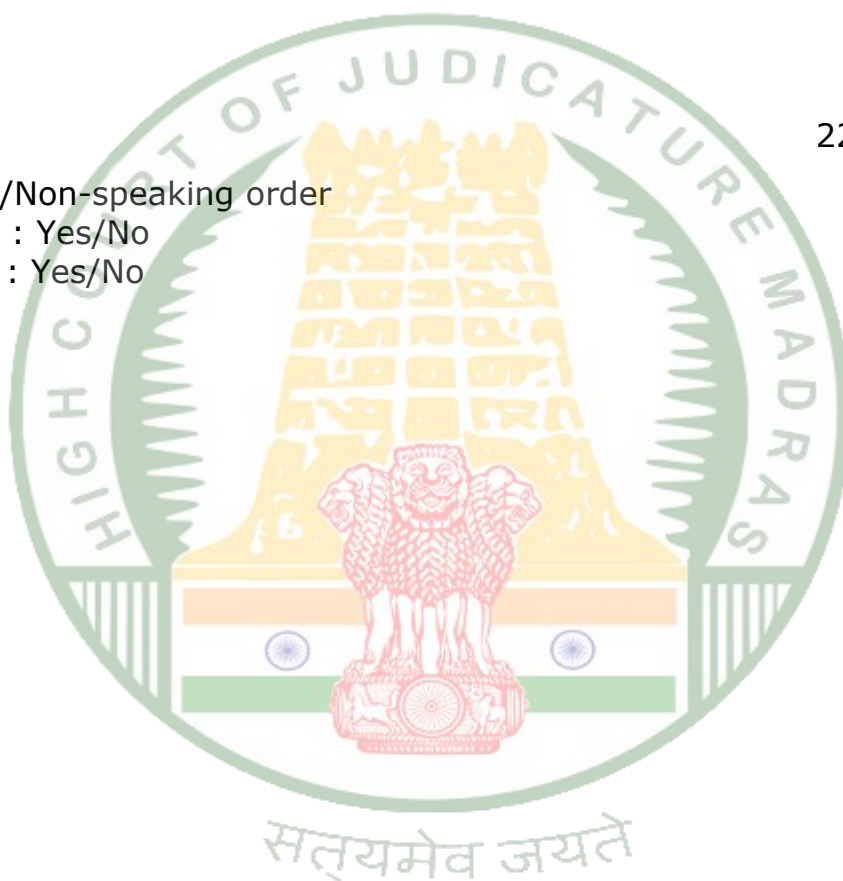
3.Now, on go through the copy of the 'B Diary', it seems that after assigning with the case number, the said I.A.No.2 of 2019 was adjourned only for three times. So, it cannot be said that the learned District Munsif, Tirupattur kept the said I.A. without any progress. So, in view of the above, I am inclined to grant permission to the petitioner to withdraw the Civil Revision Petition with liberty to

approach this Court for appropriate relief, if any further delay in the I.A.No.2 of 2019 is caused.

4.Accordingly, this Civil Revision Petition is disposed of. No costs.

22.11.2019

Speaking/Non-speaking order
Index : Yes/No
Internet : Yes/No
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R.PONGIAPPAN,J.

lok

To
The learned District Munsif Court,
Tirupattur.



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