



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2019

CORAM

THE HON'BLE MRS.JUSTICE J.NISHA BANU**C.R.P. (MD) (PD) No.1012 of 2019**WEB COPY
Lingaraj... Petitioner/4th Plaintiff

-Vs-

1.Chithirailingam
2.Balakrishnan
3.Arikesan

... Respondents 1 to 3/Plaintiffs 1 to 3

4.M.Kannan
5.M.V.N.Suriyaprasath
6.G.M.Ayubkhan
7.Alifathima
8.Parisa Begum
9.Jerina Begum
10.Japrin Jemila
11.G.M.Jiyavuthin
12.G.M.Sahul Hameed
13.A.Mohideen Fathima
14.J.Selvamani

... Respondents/Defendants 1 to 11

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to expeditiously hear the suit in O.S.No.35 of 2017 on the file of the District Munsif Court, Tiruchendur.

For Petitioner : Mr.G.Prabhu Rajadurai

O R D E R

This Civil Revision Petition has been filed seeking a direction to the learned District Munsif, Tiruchendur to dispose the suit in O.S.No.35 of 2017 within the time stipulated by this Court.

2.Learned counsel for the petitioner would submit that the petitioner along with respondents 1 to 3 herein have filed a suit in O.S.No.35 of 2017 against the respondents 4 to 14 herein for the relief of declaration to declare the power deed dated 27.12.2013 and sale deed dated 29.11.2014 are null and void and to declare the sale deeds dated 12.10.2012 and 22.01.2013 as null and void and for injunction. In the said suit, the respondents have filed the written statement and the issues were framed and the suit was listed for trial on 27.03.2018. The grievance of the petitioner is that the said suit is periodically adjourned without any progress and lastly, the suit was posted on 18.06.2019. The learned District Munsif, Tiruchendur without conducting the trial, repeatedly adjourned the suit and hence, the suit in O.S.No.35 of 2017 is pending for trial for the past 1 1/2 years without any progress. Hence, the petitioner is before this Court for early disposal of the suit.



3. Since this Civil Revision Petition is filed for early disposal of the suit, no notice is necessary to the respondents herein.

4. Considering the facts and circumstances of the case and also considering the fact that the suit in O.S.No.35 of 2017 is of the year 2017, this Court feels that ends of justice would be met by directing the Court below to dispose of the suit within a time frame. Without advertent to the merits of the case, a direction is issued to the learned District Munsif, Tiruchendur to dispose the suit in O.S.No.35 of 2017 on merits and in accordance with law within a period of six months from the date of receipt of a copy of this order.

5. With the above direction, this Civil Revision Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The District Munsif
Tiruchendur

2. The Section Officer,
V.R.Section, (2 COPIES)
Madurai Bench of Madras High Court, Madurai.

+1 CC to Mr.G.PRABHU RAJADURAI, Advocate (SR-72826[F] dated 02/07/2019)

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01.07.2019

MSA

MK (05.07.2019) 2P 4C