



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.04.2019

CORAM:

THE HONOURABLE MRS.JUSTICE S.RAMATHILAGAM

C.R.P. (PD) (MD) No.663 of 2019

A.M.Adaikkan

... Petitioner

Vs.

1.SP.Vasanth

2.S.Jeyalakshmi

3.S.Vijayalakshmi

4.RM.Singaram

5.SP.Saravanan

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, directing the court below i.e. learned District Munsif cum Judicial Magistrate, Thirumayam to dispose the suit in O.S.No.69 of 2017 pending on his file within the time fixed by this Court.

For Petitioner: Mr.V.Sitharanjandas

O R D E R

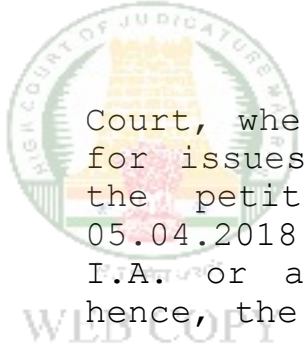
This Civil Revision Petition has been preferred by the petitioner, who is the first defendant in the suit, seeking for a direction to the learned District Munsif cum Judicial Magistrate, Thirumayam, to dispose the suit in O.S.No.69 of 2017.

2.The petitioner contended that though he made appearance in the said suit and filed the written statement on 21.11.2017, the suit has been simply adjourned, since I.A.No.313 of 2017 was also pending. However, the said I.A. has been closed on 23.01.2018 and the said suit filed by the plaintiff stands posted in the stage of issues nearly for one year.

3.The grievance of the petitioner is that he has filed the written statement at the earliest and the case is also pending in the very same stage of issues, hence, the petitioner sought for early disposal of the case by giving direction to the trial Court to dispose of the case within a time frame.

<https://hcservices.ecourts.gov.in/hcservices/>

4.The petitioner also enclosed the docket order of the trial



Court, wherein, it is also observed that the said case was posted for issues and pending from 22.01.2018. Hence, the grievance of the petitioner is from 23.01.2018, the case is posted to 05.04.2018 for issues. It is also observed that there is no other I.A. or any proceeding is pending before the trial Court and hence, the grievance of the petitioner may be considered.

5. Therefore, this Court is inclined to allow this petition. Accordingly, this Civil Revision Petition is allowed and the learned District Munsif cum Judicial Magistrate, Thirumayam, is directed to dispose the suit in O.S.No.69 of 2017 at the earliest. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The District Munsif cum Judicial Magistrate,
Thirumayam.

2. The Section Officer, -2 COPIES
VR Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.V.SITHARANJANDAS, Advocate (SR-59049[F] dated 04/04/2019)

LS

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