



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2019

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

C.R.P(MD)No.677 of 2019

and

C.M.P(MD)No.3691 of 2019

S.Naganathan

.. Petitioner/
1st Defendant

Vs.

1.Murugan

.. 1st Respondent /
Plaintiff

2.The District Collector,
District Collector Office,
Sivagangai

3.The Sub Collector,
Sub Collector Office,
Ram Nagar,
Devakottai Taluk,
Sivagangai District.

4.The Tahsildar,
Tahsildar Office,
Devakottai,
Sivagangai District.

5.The Town Surveyor,
Devakottai Municipal Office,
Devakottai,
Sivagangai District.

.. Respondents

2 to 5 / Proposed Defendants 2 to 5

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair and decreetal order dated 28.11.2018 made in I.A.No.1157 of 2018 in O.S.No.97 of 2013 by the District Munsif Court, Devakottai.

**ORDER**

The first respondent / plaintiff has filed the suit in O.S.No.97 of 2013 for the reliefs of declaration, permanent injunction and mandatory injunction. Pending suit, the petitioner / 1st defendant filed I.A.No.1157 of 2018 seeking to implead the proposed respondents therein, as defendants in the suit. The Court below dismissed the same, against which, the present civil revision petition has been filed.

2.Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner / 1st defendant would submit that he is not pressing the civil revision petition. He would also request this Court to direct the Court below to dispose of the suit within a stipulated time.

3.In view of the submission made by the learned counsel for the petitioner / 1st defendant, this civil revision petition is dismissed. Considering the request of the learned counsel for the petitioner / 1st defendant and also considering the fact that the suit has been pending from 2013 onwards, this Court without advertting to the merits of the case, is inclined to direct the Court below to dispose of the suit on merits and in accordance with law as early as possible, preferably within a period of six months from the date of receipt of a copy of this order. Both the parties are directed to cooperate with the Court below for early disposal of the suit. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (CO)

/ True Copy /

Sub Assistant Registrar (CS-)

smn

To

The District Munsif, Devakottai.

+1CC to M/s.K.HEMAKARTHIKEYAN, Advocate (SR-70760[F] dated 24/06/2019)

**ORDER MADE IN
C.R.P(MD)No.677 of 2019 and
C.M.P(MD)No.3691 of 2019
21.06.2019**