



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2019

CORAM

WEB COPY

THE HON'BLE MRS.JUSTICE J.NISHA BANU

C.R.P. (MD) No.828 of 2019

1.Padikasu
2.Panneer Selvam

...Petitioners/Plaintiffs

-Vs-

S.K.Vellaiyan @Vellaisamy

...Respondent/ Defendant

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to direct the Subordinate Judge, Pudukkottai to expeditiously dispose of the suit in O.S.No.35 of 2018 on its file.

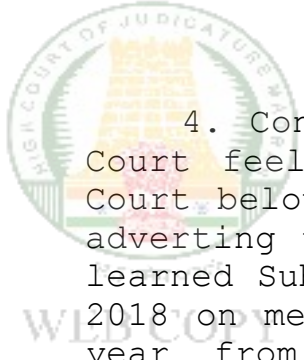
For Petitioners : Mr.S.Srinivasa Ragavan

O R D E R

This Civil Revision Petition has been filed seeking a direction to the learned Subordinate Judge, Pudukkottai, to dispose of O.S.No.35 of 2018 within a specified period that this Court deem fit in the circumstance of the case.

2.The learned counsel for the petitioners would submit that the petitioners have filed a suit in O.S.No.35 of 2018 for declaration of title and for permanent injunction. The grievance of the petitioners is that the trial Court has chosen to close the application filed by them for temporary injunction and there is no impediment for the trial Court to keep the matter pending without any substantial progress. The further grievance of the petitioners is that the urgent for final disposal of the suit is on account of denial of right of path way by the respondent. The interim application for temporary injunction has been dismissed.Hence, the present Civil Revision Petition is filed for early disposal of the suit in O.S.No.35 of 2018.

3. Since a direction for early disposal of the suit is sought for by the petitioners, no notice is necessary to the respondent



4. Considering the facts and circumstances of the case, 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 Subordinate Judge, Pudukkottai, to dispose of O.S.No.35 of 2018 on merits and in accordance with law within a period of one year 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

// True Copy //

Sub Assistant Registrar(CS)

Msa

To,

1. The Subordinate Judge, Pudukkottai.
2. The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court, Madurai.

+1cc to M/S.S.SRINIVASA RAGHAVAN, Advocate, Sr.No.68522

C.R.P. (MD) No.828 of 2019

13.06.2019

BUC (24/06/2019) 2P/4C