



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.06.2019

CORAM

THE HON'BLE MRS.JUSTICE J.NISHA BANU

C.R.P. (MD) No.930 of 2019

M.Ajmeerali

... Petitioner/Plaintiff

-Vs-

1.K.Alimabeebi
2.K.A.Kaderhussain
3.K.A.Abbasali
4.K.A.Sheik Dawood
5.K.A.Mohamed Mansoor

...Respondents/Defendants

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India for a direction to direct the Additional District Munsif Court, Madurai Town to dispose the suit in O.S.No.34 of 2007 within a definite time framed by this Court.

For Petitioner : Mr.A.Arumugam for Ajmal Associates

O R D E R

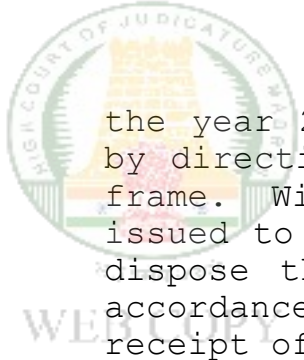
This Civil Revision Petition has been filed seeking a direction to the learned Additional District Munsif, Madurai Town to dispose the suit in O.S.No.34 of 2007, within the time stipulated by this Court.

2.Learned counsel for the petitioner would submit that the petitioner has filed a suit in O.S.No.34 of 2007 for the relief of declaration, mandatory injunction and permanent injunction. The learned counsel would further submit that the suit is posted for trial and the plaintiff's side evidence was closed in the year 2014. In such circumstances, the respondents/defendants have filed I.A.No.446 of 2014 for recalling of D.W.1 and mark further documents. The said interlocutory application is pending till today. Due to the pendency of I.A.No.446 of 2014, the suit in O.S.No.34 of 2007 is also pending. The grievance of the petitioner is that the respondents are unlawfully protracting the trial of the suit by resorting to the delaying tactics. Hence, the petitioner is before this Court for speedy disposal of the suit in O.S.No.34 of 2007.

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

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

4. Considering the facts and circumstances of the case and also considering the fact that the suit in O.S.No.34 of 2007 is of



the year 2007, 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 advertting to the merits of the case, a direction is issued to the learned Additional District Munsif, Madurai Town, to dispose the suit in O.S.No.34 of 2007 on its own 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(AD-I)

// True Copy //

Sub Assistant Registrar(CS)

msa

To

1.The Additional District Munsif,
Madurai Town.

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TR (09.07.2019) 2P 2C