



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.06.2019

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THE HON'BLE MRS.JUSTICE J.NISHA BANU**C.R.P. (MD) No.936 of 2019**

S.R.Sundaram @ Kannan

...Petitioner/Defendant

-Vs-

B.Vanajakshy

...Respondent/Plaintiff

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to direct the learned Principal District Munsif, Nagercoil for speedy disposal of O.S.No.15 of 2017 on its file.

For Petitioner : Mr.T.Antony Arulraj

O R D E R

This Civil Revision Petition has been filed seeking a direction to the learned Principal District Munsif, Nagercoil for speedy disposal of O.S.No.15 of 2017 within a specified period that this Court deem fit in the circumstance of the case.

2.The learned counsel for the petitioner would state that the respondent herein filed a suit in O.S.No.15 of 2017 for the relief of permanent injunction restraining the petitioner from interfering the peaceful possession and enjoyment of the plaint schedule building. The learned counsel would further state that the petitioner is a tenant in the said building and the monthly rent is Rs.1,500/-. The allegation of the respondent is that the petitioner had received a sum of Rs.1,00,000/- in lieu of interior work and further demanding Rs.5,00,000/-. Hence, the respondent filed the above suit for permanent injunction.

3.The learned counsel for the petitioner would state that the respondent's son is an Advocate namely Harikesavan indulged in unlawful activity one by another to throw out the petitioner from the building in question. On 11.01.2017, the respondent's son along with several advocates broke open the shop and looted all the stocks and damaged the shop. Now the suit filed by the respondent is pending and the petitioner also raised counter claim. Since the respondent's son is a practicing Advocate before the Court, no Advocate has come forward to appear on behalf of the petitioner. Due to the pendency of the suit, the petitioner is not able to proceed with his business. Further, the learned counsel would state that though there is no interim order, the respondent is preventing



the petitioner from doing his business. Hence, the petitioner before this Court for speedy disposal of the suit in O.S.No.15 of 2017.

4. Since a direction for early disposal of the suit is sought for by the petitioner, no notice is necessary to the respondent herein.

5. Considering the facts and circumstances of the case and also considering the fact that the suit 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 adverting to the merits of the case, a direction is issued to the learned Principal District Munsif, Nagercoil to dispose the suit in O.S.No.15 of 2017 on its own merits and in accordance with law, within a period of one year from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(Records)

// True Copy //

Sub Assistant Registrar(CS)

msa

To

1.The Principal District Munsif,
Nagercoil.

+1CC TO MR.T.ANTONY ARUL RAJ, Advocate Sr. No. 70755

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