

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 27.06.2019

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU**C.R.P (MD) .No.980 of 2019 (PD)**

Mariappan

... Petitioner/1st Appellant

Vs.

1. Mumtaj Begam
2. Hajiral Banu
3. Abdul Rahman
4. Sithik Ali
5. Subaithal Banu
6. Sakthi Mariappan
7. Selvamari
8. Jabar Mohamed Kasim Beer
9. Kanagaraj
Sundararaj (died)
10. Suresh Kumar
11. Santha Mariappan

... Respondents/Respondents

PRAYER:- Civil Revision Petition filed under Article 227 of the Constitution of India, praying to direct the Additional Subordinate Court, Tirunelveli to expedite and complete the trial in A.S.No.16 of 2014 within a stipulated time.

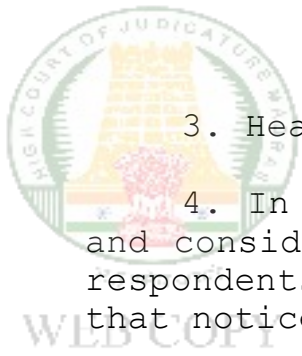
For petitioner

: Mr.M.P.Senthil

ORDER

This civil revision petition has been filed by the petitioner seeking a direction to the learned Additional Subordinate Judge, Tirunelveli to dispose of A.S.No.16 of 2014 pending on his file within a stipulated time.

2. The learned counsel for the petitioner submitted that the respondents 1 to 5 filed the suit for declaration and permanent injunction and the same was decreed. Challenging the same, the petitioner/1st defendant and the 11th respondent herein filed the appeal in A.S.No.16 of 2014. The grievance of the petitioner is that though the appeal has been pending from the year 2014 onwards, the respondents 1 to 5 have been intentionally dragging on the matter one way or the other. The petitioner is ready to cooperate with the first appellate Court. Hence, he has filed this revision petition seeking a direction for early disposal of the said appeal.



3. Heard the learned counsel for the petitioner.

4. In view of the limited relief sought for by the petitioner and considering the fact that no prejudice would be caused to the respondents by ordering this petition, this Court is of the view that notice need not be sent to the respondents.

5. Considering the submission of the learned counsel for the petitioner and also considering the year of the appeal, this Court is inclined to issue the following direction to the first appellate Court:

The learned Additional Subordinate Judge, Tirunelveli, is directed to dispose of A.S.No.16 of 2014 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 first appellate Court for early disposal of the case.

6. This revision petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar (CS)

Gcg

To

1. The Additional Subordinate Judge, Tirunelveli.

2. The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO Mr.M.P.Senthil, ADVOCATE IN SR No.72240

C.R.P (MD).No.980 of 2019 (PD)

27.06.2019

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