



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY****CRP(MD)No.1780 of 2019**

Vasantha

... Revision Petitioner/
Petitioner/Plaintiff

versus

Arokiyasamy

... Respondent/
2nd Respondent/2nd Defendant

Civil Revision Petition filed under Article 227 of the Constitution of India, seeking a direction to the learned Sub Judge, Thiruchirappalli, to dispose of I.A.No.420 of 2018 in O.S.No.832 of 2013 within a time frame to be fixed by this Court.

For Petitioner : Mr.I.Suthakaran

ORDER

The revision petitioner is the plaintiff in O.S.No.832 of 2013. She filed a suit in O.S.No.832 of 2013 before the Sub Court, Thiruchirappalli, for specific performance.

2. It is the case of the revision petitioner that the respondent herein, who is the second defendant in the suit, had entered into a sale agreement with the revision petitioner. The sale consideration was fixed at Rs.2,90,000/-. The revision petitioner, on various dates, totally paid a sum of Rs.78,700/- towards sale consideration and the defendant also gave receipts for the said amount. Thereafter, the respondent herein was not ready for performing his part of contract. Hence, the revision petitioner filed the suit for specific performance and the said suit was decreed on 01.09.2016. But, in the Judgment and Decree of the said suit, there were several arithmetic errors and mistakes. Therefore, she filed an interlocutory application before the Court below for correcting the errors and the same was pending in SR stage and subsequently, it was misplaced. Therefore, she filed another interlocutory application before the Court below. The said application was numbered as I.A.No.420 of 2018.

3. It is the grievance of the revision petitioner that though the said interlocutory application was filed in the month of June 2018, the same is still pending before the Court below for the past one year. Hence, the Civil Revision Petition is filed.

4. The learned counsel appearing for the revision petitioner submits that as per the Judicial Notification No.C-5 CAS/2007 Tamil



Nadu Case Flow Management in Subordinate Courts/Rules 2007, interlocutory application should be disposed of within a period of nine months from the date of filing the said application. But, the said application is pending for more than one year. Hence, the revision petitioner seeks a direction for speedy disposal of the said application.

5. Considering the facts and circumstances of this case and in view of Judicial Notification No.C-5 CAS/2007 Tamil Nadu Case Flow Management in Subordinate Courts/Rules 2007, this Court directs the learned Sub Judge, Tiruchirappalli, to dispose of I.A.No.420 of 2018 in O.S.No.832 of 2013, within a period of thirty (30) days from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

To

The Sub Judge,
Thiruchirappalli.

+1 CC to Mr.I.SUTHAKARAN, Advocate (SR-91295[F] dated 04/10/2019)

CRP(MD)No.1780 of 2019

04.10.2019

ogy
VB(22.10.2019) 2P 3C