



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

C.R.P (MD)No.1544 of 2019

N.Siva

...Petitioner/ defendant

Vs.

K.Valivittan,
Proprietor of Valivitttan Thavittu Kadai
Madurai.

... Respondent / Plaintiff

PRAYER: Civil Revision Petition is filed, under Under Article 227 of the Constitution of India, to direct the learned Additional Munsif Court, Madurai, to expedite the trial proceedings pending trial in O.S.No.714 of 2016.

For Petitioner : Mr.S.P.Prabakaran

O R D E R

This Civil Revision Petition has been filed for the early disposal of O.S.No.714 of 2016, which is Pending before the learned Additional Munsif Court, Madurai.

2.Heard the learned counsel appearing for the petitioner and perused the materials available on record.

3.The learned counsel for the petitioner would contend that the suit is of the 2016 and the written statement was filed by him in the year 2017. He would further contend that the matter was posted for trial from time to time, but issues were not framed and that the examination of the witnesses were not completed. The suit was filed only by the tenant for the relief of permanent injunction on the ground that if at all if the defendant / owner is intended to evict him, it should be by way of due process of law. The tenant has already agreed to vacate the premises within three months before the filing of suit. Further, having made the said statement to the petitioner/defendant, the respondent/plaintiff filed the present suit in the year 2016 and it is pending for the past three years. Therefore, the petitioner seeks early disposal of the suit.



4.In view of the submission made by the learned counsel for the revision petitioner and also considering the fact that the suit is pending from the year 2016, this Court directed the Court below to examine the witnesses of the plaintiff as well as the defendant, if any, and the Court below shall permit the lawyers to examine the witnesses on day-to-day basis and complete the examination of witnesses, within two months and thereafter pass an order, within two months from the completion of the evidence. It is made clear that the Court below shall pass orders as early as possible, preferably, within a period of four months from the date of receipt of a copy of this order.

5.This Civil Revision Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar (CS)

RJ2

To

The learned Additional Munsif, Madurai.

**Order made in
C.R.P (MD) No.1544 of 2019
12.09.2019**

KM/(30.09.2019) 2P 2C