



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

C.R.P (MD)No.1360 of 2019

1.P.Lettisial

2.P.Goldwin

3.V.Nirmala

...Petitioners / plaintiffs

Vs.

1.P.Siluvai Rajan @ Rajan

2.J.Therasa Miranda

3.St.Innasiar Churth,
Kurumbanai represented by its
Paris Priest,
Kurumbanai and post,
Colachel Village,
Kalkulam Taluk,
Kanyakumari District.

4.Franisiskhan Macheneries
of Mary Society,
No.5/42B, Lena House,
Kurumpanai and Post,
Colachel Village,
Kalkulam Taluk,
Kanyakumari District.

... Respondents / Defendants

PRAYER: Civil Revision Petition is filed, under Under Article 227 of the Constitution of India, to direct the Sub-Court, Eraniel to early disposal of the suit in O.S.No.275 of 2018 within the time stipulated by this Court.

For Petitioner : Mr.H.Thayumanaswamy

O R D E R

This Civil Revision Petition has been filed for the early disposal of the suit in O.S.No. 275 of 2018 on the file of the



Sub-Court, Eraniel.

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 originally the suit was filed before the Sub Court, Padmanabhapuram, in O.S.No.187 of 2012 and thereafter, it was transferred to the file of Sub Court, Eraniel and re-numbered as O.S.No.275 of 2018. He would further contend that the revision petitioner is aged about 82 years and he is a senior citizen and he is suffering from various ailments. Further, this Court, by order dated 30.08.2018 in C.R.P.(MD)No.772 of 2018, which was filed by the petitioner, directed the court below to dispose of the suit within three months. But till date, the suit has not been disposed of.

4. As per Notification dated 23.11.2007 issued by the Government, wherein, there was a reference with regard to the directions to the Hon'ble High Court, Madras, to frame rules in regard to "Case Flow Management in the Subordinate Courts", pursuant to which, the High Court also framed rules by fixing the time limit for disposal of the cases. With regard to the suit for partition and a separate possession the time limit fixed for disposal of the suit is 24 months.

5. Considering the age of the revision petitioner and also considering the order passed by this Court in C.R.P.(MD)No.772 of 2018, dated 30.08.2018 and as per the notification, this Court is of the view that it is appropriate to direct the learned Subordinate Judge, Eraniel, to dispose of O.S.No.275 of 2018, within a period of six months from the date of receipt of a copy of this order and report compliance before this Court within 30 days thereafter.

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

Sd/-

Assistant Registrar (AD I)

// True Copy //

Sub Assistant Registrar (CS)

RJ2



To

1.The learned Sub Judge,
Eraniel.

2.The Section Officer,
Judicial Section
Madurai Bench of Madras High Court,
Madurai

+1 CC to M/s.H.THAYUMANASWAMY, Advocate (SR-86434[F] dated
13/09/2019)

**Order made in
C.R.P (MD) No.1360 of 2019
12.09.2019**

KM/(30.09.2019) 3P 4C