



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2019

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P (MD) No.1247 of 2019

1.Pramila

2.Minor Eyaeen shri hari

[represented by his mother and guardian,

1st petitioner]

.. Petitioners/ Plaintiffs

Vs.

1. The Thasildar,
Kodaikkanal Taluk,
Dindigul District.

2. The District Collector,
Office of the District Collector,
Dindigul District.

3.Parasakthi

4.Minor Harishkumar

[represented by his mother and guardian

3rd respondent]

5.Sonaimuthu

.. Respondents/ Defendants

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India praying to direct the District Munsif Court, Kodaikkanal, for expeditiously dispose the petition and pass order in O.S.No.49 of 2016 on the file of the District Munsif Court, Kodaikkanal, in accordance with law within the time stipulated by this Court.

For petitioners

: Mr.R.Alagumani

ORDER

This civil revision petition has been filed by the petitioners/ plaintiffs seeking for a direction to the learned District Munsif, Kodaikkanal to dispose of the suit in O.S.No.49 of 2016 within a stipulated time.



2. According to the petitioners / plaintiffs, they have filed the suit in O.S.No.49 of 2016 for the relief of declaration, declaring that the petitioners and fifth respondent are the legal heirs of one late Muthukrishnasamy and also for the relief of mandatory injunction, directing the first respondent to issue legal heirship certificate to them. The grievance of the petitioner is that though the suit has been filed by the petitioners / plaintiffs in the year 2016, the same is still pending for trial and the same has been adjourned on several occasions without any valid reason and therefore, they filed this revision petition seeking a direction for early disposal of the suit.

3. Heard the learned counsel for the petitioners / plaintiffs. In view of the limited relief sought for by the petitioners / plaintiffs and also considering the fact that the disposal of the suit would not cause any prejudice to the respondents / defendants, this Court is of the view that notice need not be sent to the respondents / defendants.

4. Considering fact that the suit has been pending from 2016 onwards and also considering the submission of the learned counsel appearing for the petitioners / plaintiffs, this Court is inclined to direct the Court below to dispose of the suit 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. The Court below is directed to send the compliance report to the Registry of this Court. Both the parties are directed to cooperate with the Court below for early disposal of the suit.

5. Accordingly, this Civil Revision Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

To

<https://hcservices.hccourtsgov.in/CaseDetails.aspx?CaseNo=2016-49>
The District Munsif,
Kodaikkanal.



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

+1 CC to M/s.R.ALAGUMANI, Advocate (SR-79146[F] dated
01/08/2019)

+1 CC to SPECIAL GOVERNMENT PLEADER (SR-79412[F] dated
02/08/2019)

**ORDER MADE IN
C.R.P (MD) No.1247 of 2019
01.08.2019**

smn

AE/ (14.08.2019) 3P 6C