



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.08.2019

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P (MD)No.1344 of 2019

1.Thavamani

2.Govindakannan

3.Ponnusamy

4.Nagavel

5.Revathi

6.Chandrasekar

7.Puyalmani

.. Petitioners /
Defendants 1 to 7

Vs.

1.Kottuthurai

2.Murugesan

3.Kanniah

[The respondents / plaintiffs for
themselves and on behalf of
Pudukudi Village Pattankatti
fishers]

.. Respondents /
Plaintiffs

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India praying to direct the learned District Munsif, Thiruvadanai, to expedite the suit pending in O.S.No.63 of 2016 within a stipulated time as may be fixed by this Court.

For petitioners : Mr.A.Saravanan

ORDER

This civil revision petition has been filed by the petitioners / defendants seeking for a direction to the learned District Munsif, Thiruvadanai to dispose of the suit in O.S.No.63 of 2016 within a stipulated time.



2. According to the petitioners / defendants, the respondents/ plaintiffs have filed the suit in O.S.No.63 of 2016 for the reliefs of declaration and permanent injunction. The petitioners/defendants have also filed their written statement. The grievance of the petitioners is that the 3rd petitioner / 3rd defendant as well as 3rd respondent / 3rd plaintiff are aged about more than 80 years and though the suit has been filed by the respondents / plaintiffs in the year 2016, the same has been adjourned on several occasions without any valid reason and therefore, they have filed this revision petition seeking a direction for early disposal of the suit.

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

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 / defendants that the 3rd petitioner and 3rd respondent are senior citizen, 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

The District Munsif,
Thiruvadanai.



Copy to:

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

+1 CC to M/s.S.MUTHU KUMAR, Advocate (SR-81604[F] dated
14/08/2019)

ORDER MADE IN
C.R.P (MD) No.1344 of 2019
09.08.2019

smn
JMN(26.08.2019) 3P : 5C