



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2019

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THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P(MD).Nos.1497 and 1499 of 2019

K.Murali ... Petitioner in both the petitions/
Petitioner / Plaintiff

Vs.

M.Nagavalli ... Respondent in both the petitions/
Respondent / Defendant

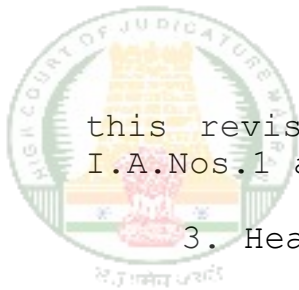
COMMON PRAYER:- Civil Revision Petitions filed under Article 227 of the Constitution of India, praying to direct the learned Principal District Munsif, Tiruchirapalli, to dispose of I.A.Nos.1 and 2 of 2019 respectively in O.S.No.491 of 2019 within a time frame.

For petitioner in
both the petitions : Mr.P.Arun Jayatram

COMMON ORDER

These Civil Revision Petitions have been filed by the petitioner seeking a direction to the learned Principal District Munsif, Tiruchirapalli, to dispose of I.A.Nos.1 and 2 of 2019 respectively in O.S.No.491 of 2019 pending on his file, within a stipulated time.

2. The learned counsel for the petitioner submitted that the petitioner as plaintiff has filed the suit in O.S.No.491 of 2019 for bare injunction against the respondent/defendant. Along with the suit, he has filed I.A.Nos.1 and 2 of 2019 for appointment of Advocate Commissioner and for interim order of injunction respectively. The grievance of the petitioner is that though the interim applications along with the suit have been filed on 13.06.2018 stating that the respondent herein is putting up construction encroaching upon the suit property and though the respondent entered appearance before the Court below, the respondent has been intentionally dragging on the matter one way or the other and the Court below also has been adjourning the matter periodically. On the other hand, the respondent has been hurriedly putting up the construction. Therefore, the petitioner has filed



this revision petition seeking a direction for early disposal of I.A.Nos.1 and 2 of 2019 in O.S.No.491 of 2019.

3. Heard the learned counsel for the petitioner.

4. In view of the limited relief sought for by the petitioner and considering the fact that no prejudice would be caused to the respondent by ordering this petition, this Court is of the view that notice need not be sent to the respondent.

5. Considering the limited relief sought for by the petitioner, date of the applications and stage of the petitions, this Court, without going into the merits of the case, is inclined to issue the following direction to the Court below:

The learned Principal District Munsif, Tiruchirapalli, is directed to consider and dispose of I.A.Nos.1 and 2 of 2019 in O.S.No.491 of 2019 on merits and in accordance with law as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of a copy of this order. Both the parties are directed to cooperate with the Court below for early disposal of the case.

6. Both the revision petitions stand disposed of accordingly. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

To
The Principal District Munsif, Tiruchirapalli.

+2 CC to M/s.P.ARUN JAYATRAM, Advocate (SR-84720& 84721[F] dated 30/08/2019)

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29.08.2019

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