



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

C.R.P (MD) No.1548 of 2019

WEB COPY

K. Ponnammal

... Petitioner/Defendant

Vs.

N. Amanullah

... Respondent/Plaintiff

PRAYER: This Civil Revision Petition is filed under Article 227 of Constitution of India to direct the District Munsif, Melur, to expedite the enquiry in O.S.No. 188 of 2016 and to dispose of the same within a time to be fixed by this Court.

For Petitioner : Mr. R. Suriyanarayanan

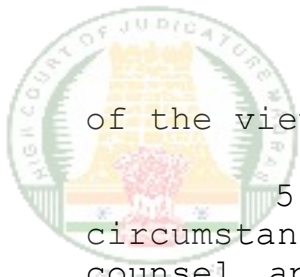
ORDER

This Civil Revision Petition has been filed for issuing a direction to the learned District Munsif, Melur to expedite the enquiry in O.S.No. 188 of 2016 and to dispose of the same within a time frame to be fixed by this Court.

2. The learned counsel appearing for the revision petitioner would submit that the petitioner has filed a suit in O.S.No. 188 of 2016, on the file of the District Munsif, Melur and the same is pending for the past four years without any progress. According to him, PW.1 was examined and the examination of PW.2 is going on. PW.2 is not available for the purpose of cross examination for many hearings. Therefore, there is delay in progress of the suit. Hence, he filed the present petition seeking a direction to dispose of the said suit in O.S.No. 188 of 2016 at the earliest.

3. In view of the Judicial Notification No.C-5 CAS/2007, Tamil Nadu (Case Flow Management in Subordinate Courts) Rules, 2007, dated 23.11.2017, based on the order passed by the Hon'ble Supreme Court in **W.P(Civil).No. 496 of 2002, (Salem Advocates Bar Association, Tamil Nadu Vs. Union of India)**, the learned counsel contended that suit must be disposed of within a period of 24 months from the date of filing.

4. In view of the limited relief sought for by the petitioners 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 respondents.

5. Considering the years of the suit, the facts and circumstances of the case, the submission made by the learned counsel appearing for the petitioner and the judicial Notification No.C-5 CAS/2007, Tamil Nadu (Case Flow Management in Subordinate Courts) Rules, 2007, dated 23.11.2017, this Court is inclined to issue a direction to the Court below to dispose of the suit within a time frame.

6. Accordingly, the learned Principal District Munsif, Melur, is hereby directed to dispose of the suit in O.S.No.188 of 2016, within a period of three months from the date of receipt of a copy of this order. This Civil Revision petition is ordered accordingly. No costs.

Sd/-

Assistant Registrar (AD I)

// True Copy //

Sub Assistant Registrar (CS)

trp

To

The District Munsif, Melur

+1 CC to M/s.R.SURIYANARAYANAN, Advocate (SR-86782[F] dated 16/09/2019)

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16.09.2019

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