



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

C.R.P (MD) No.1941 of 2019

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R. Muthumani

... Petitioner / plaintiff

Vs.

A.C.MS. Subramanian

... Respondent / Defendant

PRAYER: This Civil Revision Petition is filed under Article 227 of Constitution of India to direct the original suit in O.S.No.67 of 2011 on the file of the District Munsif Court, Pudukkottai, within a period as stipulated by this Court.

For Petitioners : Mr.K. Balasundharam

ORDER

This Civil Revision Petition has been for issuing a direction to the learned District Munsif Court, Pudukkottai, to dispose of suit in O.S.No.67 of 2011, within a time frame to be stipulated by this Court.

2. According to the petitioner, he has filed a suit in O.S.No.235 of 2006 on the file of District Munsif Court, Aranthangi, for recovery of possession. Subsequently, the suit was transferred to District Munsif Court, Pudukkottai and re-numbered as O.S.No. 67 of 2011 and the same is pending. Further, the examination of PW.1 Chief and Cross were completed on 05.01.2010 and posted the matter for respondent / defendant side evidence on 11.01.2010. However, the respondent / defendant is dragging on the proceeding by way of filing number of Interlocutory Applications. In such circumstances, he has filed the present Civil Revision Petition before this Court.

4. 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 petitioner and considering the fact that no prejudice would be caused to the respondents by ordering this petition, this Court is of the view that notice need not be sent to the respondents.

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5. Considering the facts and circumstances of the case and also 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 said suit within a time frame.

6. Accordingly, the learned District Munsif Court, Pudukkottai, is hereby directed to dispose of the suit in O.S.No.67 of 2011, pending on his file, as expeditiously as possible, in any event, not later than three months from the date of receipt of a copy of this order.

7. This Civil Revision petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar(CS)

trp

To
The District Munsif, Pudukkottai.

+1CC TO MR.K.BAALASUNDHARAM, Advocate Sr. No. 95656

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TR(25.11.2019)2P 3C