



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2019

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

C.R.P. (MD) .No.2082 of 2019

WEB COPY

1.P.Ganesan
2.A.S.Palaraman Thambi (died)
3.Ravi ... Petitioners/Defendants No.4 to 6
4.Sindhu B.Thambi
5.Nithish
6.Niranchu
(Additional Defendants Nos.8 to 10
are impleaded as per order passed
in I.A.No.41 of 2015, dated 08.06.2016)
...Petitioners/Defendants 8 to 10

Vs.

1.Thiraviam Nadar (Died)
2.Velayuthaperumal Nadar
3.Vellayan Nadar
4.Monicamuthu Nadar
5.Ponnuthurai
6.Shanmuga Sundaravel
7.Thamodaran ...Respondents/Additional
Plaintiffs 2 to 7
...Respondent/Plaintiff No.1
(Additional plaintiffs Nos.2 to 7
are impleaded as per order passed
in I.A.No.927 of 2010, dated 25.01.2011).

8.K.A.Kumaresan,
9.Mrs.Muthammal,
10.V.Sivanandham, ...Respondents/Defendants 1 to 3
11.Rajan, ...Respondent/Defendant No.7

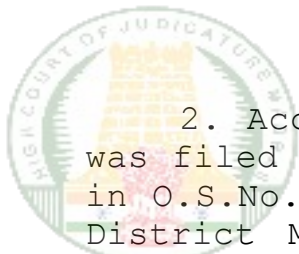
PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India to direct the District Munsif cum Judicial Magistrate, Bhoothapandi to dispose of the Original Suit in O.S.No.105 of 2012 on the file of the District Munsif cum Judicial Magistrate, Bhoothapandi.

For Petitioners

: Mr.T.Lajapathi Roy

O R D E R

The Civil Revision Petition has been filed seeking a direction to the District Munsif cum Judicial Magistrate, Bhoothapandi to dispose of the Original Suit in O.S.No.105 of 2012.



2. According to the revision petitioners, originally the suit was filed before the I Additional District Munsif Court, Nagercoil in O.S.No.562 of 2008 and subsequently, it was transferred to the District Munsif cum Judicial Magistrate Court, Bhoothapandi and renumbered as O.S.No.105 of 2012 and the same was filed for declaration. The suit is pending for the past 11 years. Hence, the revision petitioners have filed the present Civil Revision Petition seeking a direction to the District Munsif cum Judicial Magistrate Court, Bhoothapandi to dispose of the suit in O.S.No.105 of 2012.

3. The learned counsel appearing for the revision petitioners would submit that as per the Judicial Notification No.C-5 CAS/2007 Tamil Nadu Case Flow Management in Subordinate Courts/Rules 2007, the suit in O.S.No.105 of 2012 should be disposed of within a period of two years from the date of filing the petition. But, the suit is pending for the past 11 years without any progress. Hence, the petitioners have filed the present civil revision petition.

4. In view of the Judicial Notification No.C-5 CAS/2007 Tamil Nadu Case Flow Management in Subordinate Courts/Rules 2007, the Court below should have disposed of the suit in O.S.No.105 of 2012 within a period of two years, but the Court below has not disposed of the same within a time. Hence, this Court is constrained to direct the learned District Munsif cum Judicial Magistrate, Bhoothapandi to dispose of the suit in O.S.No.105 of 2012, on merits and in accordance with law, within a period of four months from the date of receipt of a copy of this order, without fail.

5. With the above direction, the Civil Revision Petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

akv

To

The District Munsif cum Judicial Magistrate,
Bhoothapandi.

+1 CC to M/s.T. LAJAPATHI ROY, Advocate (SR-99666[F] dated
20/11/2019)

C.R.P. (NPD) . (MD) .No.2082 of 2019

19.11.2019