



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY****CRP(MD)No.2052 of 2019**

WEB COPY

Kasthuri

... Petitioner

versus

1. Dhanapackiyam
2. Vijaya
3. Indrani
4. Sulochana
5. Karpagam
6. Rethinavel
7. Lakshmanan
8. Kannaki
9. Susila
10. Thilagavathi
11. Banumathi
12. M.Swaminathan @ Raja

... Respondents

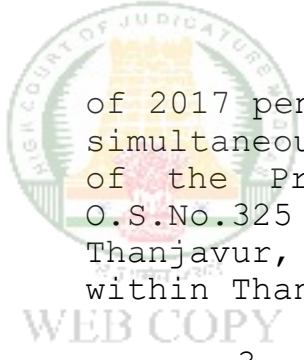
Civil Revision Petition filed under Article 227 of Constitution of India, seeking a direction to the learned Principal District Judge, Thanjavur, to dispose of Tr.O.P.No.7 of 2018 pending on its file.

For Petitioner : Mr.C.Padmaraj

ORDER

This Civil Revision Petition has been filed by the revision petitioner, seeking a direction to the learned Principal District Judge, Thanjavur, to dispose of Tr.O.P.No.7 of 2018 pending on its file.

2. It is the case of the revision petitioner that she is the daughter-in-law of one Rajamanickam and wife of Chinnamani @ Guhapriyan, pre-deceased son of Rajamanickam. The first respondent herein is the 2nd wife of Rajamanickam. The respondents 2 to 5 herein are the daughters of 1st respondent and rest of the respondents are sons and daughters born to 1st wife of Rajamanickam. The revision petitioner herein filed a suit in O.S.No.325 of 2017 on the file of the District Munsif Court, Thanjavur. The first respondent herein also filed A.S.No.13 of 2017 on the file of Principal Sub Court, Thanjavur. Since both the cases are pertaining to the same property, ie. in Survey No.418A/4B, measuring 93 cents, the first respondent herein filed Tr.O.P.No.7 of 2018 before the learned Principal District Judge, Thanjavur, to transfer O.S.No.325



of 2017 pending on the file of District Munsif Court, Thanjavur, for simultaneous trial along with A.S.No.13 of 2017 pending on the file of the Principal Subordinate Judge, Thanjavur, or to transfer O.S.No.325 of 2017 pending on the file of the District Munsif Court, Thanjavur, to some other District Munsif competent to try the same within Thanjavur District.

3. Now, it is the grievance of the revision petitioner that the said transfer petition is being adjourned for more than 20 months. Hence, the present Civil Revision Petition has been filed for speedy disposal of Tr.O.P.No.7 of 2018.

4. The learned counsel appearing for the revision petitioner submits that as per the Judicial Notification No.C-5 CAS/2007 Tamil Nadu Case Flow Management in Subordinate Courts/Rules 2007, the said transfer petition should be disposed of within a period of nine months from the date of filing. But, the same is pending for the past 20 months. Hence, the present Civil Revision Petition has been filed seeking a direction to the learned Principal District Judge, Thanjavur, to dispose of Tr.O.P.No.7 of 2018 pending on its file.

5. In view of Judicial Notification No.C-5 CAS/2007 Tamil Nadu Case Flow Management in Subordinate Courts/Rules 2007 and also considering the fact that the said transfer petition is pending for the past twenty months, this Court directs the learned Principal District Judge, Thanjavur, to dispose of Tr.O.P.No.7 of 2018, on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS-I)

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The learned Principal District Judge, Thanjavur.

+1CC TO MR.C.PADMARAJ, Advocate Sr. No. 98459

CRP (MD) No.2052 of 2019

14.11.2019

KM(CO)

TR(26.11.2019)2P 3C

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