



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2019

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

C.R.P. (MD) .No.2142 of 2019

WEB COPY
Yogarajan

... Petitioner / Defendant

Vs.

1.Theivam
2.Arichandran

... Respondents / Defendant

PRAYER: The Civil Revision Petition is filed under Article 227 of the Constitution of India for speedy disposal of O.S.No.161 of 2019 (Old O.S.No.235 of 2009) on the file of the learned Subordinate Judge, Thirumangalam within a time stipulated by this Court.

For Petitioner

: Mr.R.Ramadurai

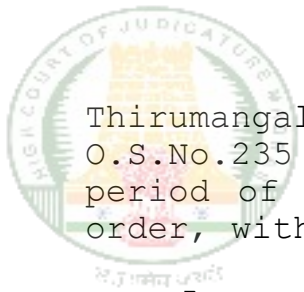
O R D E R

The Civil Revision Petition has been filed seeking a direction to the learned Subordinate Judge, Thirumangalam to dispose of the suit in O.S.No.161 of 2019 (Old O.S.No.235 of 2009).

2. According to the revision petitioner, originally, the suit in O.S.No.235 of 2009 has been filed before the District Munsif Court, Thirumangalam, but, now it has been transferred to the Sub Court, Thirumangalam and renumbered as O.S.No.161 of 2019. The suit has been filed for declaration and recovery of possession and the same is pending for the past ten years. Hence, the petitioner has filed the present Civil Revision Petition seeking a direction to the learned Subordinate Judge, Thirumangalam to dispose of the suit in O.S.No.161 of 2019 (Old O.S.No.235 of 2009).

3. The learned counsel appearing for the revision petitioner would submit that as per the Judicial Notification No.C-5 CAS/2007 Tamil Nadu Case Flow Management in Subordinate Courts/Rules 2007, the original suit 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 ten years without any progress. Hence, the petitioner has 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.161 of 2019 (Old O.S.No.235 of 2009) 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 Subordinate Judge,



Thirumangalam to dispose of the suit in O.S.No.161 of 2019 (Old O.S.No.235 of 2009), 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)

To

The Subordinate Judge,
Thirumangalam.

+1 CC to M/s.R. RAMADURAI, Advocate (SR-101366[F] 26/11/2019)

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SDS/VR/SAR-2 (28.11.2019) 2P 3C