

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 30..01..2020

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Civil Revision Petition No.294 of 2020

Tmt.S.Santhi

... Petitioner

-Versus-

1.K.V.Balamurugan
2.B.Mohana
3.K.Gopal

... Respondents

Petition filed under Article 227 of the Constitution of India, praying for a direction to the learned District Munsif cum Judicial Magistrate, Pallipattu, Tiruvallur District, to dispose of the interlocutory application in I.A.No.136 of 2017 in O.S.No.40 of 2017 within the time frame to be fixed by this court.

For Petitioner : Mr.L.Dhamodharan

ORDER

This civil revision petition has been filed seeking a direction to the learned District Munsif cum Judicial Magistrate, Pallipattu, for early disposal of the application in I.A.No.136 of 2017 in O.S.No.40 of 2017.

2. The petitioner is the 1st defendant in the suit. The respondents 1 and 2 are plaintiffs and the 3rd respondent is the 2nd defendant. The above said suit has been filed for bare injunction restraining the defendants from in any manner evicting the plaintiffs from the suit property without due process of law. Along with the suit the respondent land 2 have filed an interlocutory application for ad interim injunction. The grievance of the petitioner is that even though the counter affidavit was filed by him long back, the court below without conducting enquiry adjourning the case from time to time. Hence, this revision petition.

3. Considering the limited nature of the relief sought for in this revision petition and the other facts and circumstances

of the case, this court is of the view that no notice is necessary as no prejudice would be caused to the other side if a direction is issued to the court below for early disposal of the application.

4. I have heard the learned counsel for the petitioner and also perused the records carefully.

5. In view of the limited nature of the relief sought for and on considering the facts of the case, without going into the merits of the case, this court directs the learned District Munsif cum Judicial Magistrate, Pallipattu, Tiruvallur District, to take up the enquiry of the application in I.A.No.136 of 2017 in O.s.No.40 of 2017 and dispose of the same within a period of three months from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

kmk

To

1.The District Munsif cum Judicial Magistrate,
Pallipattu, Tiruvallur
District.

+1cc to M/s.L.Dhamodaran, Advocate SR.7106

C.R.P.No.294 of 2020

CP(CO)
CB(25/02/2020)

सत्यमेव जयते

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