

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26..02..2020
CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Civil Revision Petition No.852 of 2020

1.Janaki
2.K.Gopal

... Petitioners

-Versus-

1.Natarajan

2.The Commissioner,
Pammal Municipality,
Pammal,
Chennai 600 075.

3.The Chairman,
Tamil Nadu Slum Clearance Board,
No.5, Kamaraj Salai,
Chennai.

... Respondents

Petition filed under Article 227 of the Constitution of India, praying for a direction to the learned District Munsif, Alandur, for the disposal of the suit in O.S.No.685 of 2007 within the time to be stipulated by this court.

For Petitioner : Mr.K.P.Chandrasekaran

ORDER

This civil revision petition has been filed seeking a direction to the learned District Munsif, Alandur, for early disposal of the suit in O.S.No.685 of 2007, preferably, within the time frame to be fixed by this court.

2. The petitioners are the plaintiff in the suit. The suit has been filed for (i) a mandatory injunction directing the defendants 2 and 3 to remove the encroachments made by the 1st defendant over the C-schedule property and keep the same as street and (ii) a permanent injunction restraining the 1st defendant from encroaching the suit C-schedule property in any manner. According to the petitioners, though the issues have been framed long back, there is no progress in the trial of the suit.

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 cause to the other side if a direction is issued to the court below for early disposal of the original suit.

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

5. In view of the limited nature of the relief sought for and on considering the age of the petitioners and also considering the fact that trial has already commenced, without going into the merits of the case, this court is inclined to direct the learned District Munsif for early disposal of the suit. Accordingly, the learned District Munsif, Alandur, is directed to take up the suit for trial and dispose of the same within a period of three months from the date of receipt of a copy of this order. This civil revision petition is disposed of accordingly with the above directions. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

kmk

To

1.The District Munsif, Alandur, Kancheepuram District.

+1cc to Mr.K.P.Chandrasekaran , Advocate SR.No. 16630

C.R.P.No.852 of 2020

A.SK(04/03/2020)

सत्यमेव जयते

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