

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2020

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

C.R.P(PD).No.4384 of 2015

Kshirod Kumar Jena

... Petitioner

Vs.

1. T.S.Ganesan
2. Mangalam Krishnamurthy
3. B.Balakrishnan
4. S.Varadarajan
5. S.Anandhavalli
6. Elizabeth Thomas
7. Mary Eapen
8. A.A.Philip
9. J.K.Manikandan

... Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to dispose the O.S.No.181 of 2019 on the file of the Principal District Judge, Chengalpattu (amended vide order of court dated 06.11.2020, Memo recorded in Memo SR.No.6387 of 2020).

For Petitioner : Mr.T.Karunakaran
For Respondents : Mr.T.SVijayaraghavan
(for R1 to R3)
No Appearance
(for R4 and R5)
Given Up
(for R6 to R9)

ORDER

This Civil Revision Petition has been filed by the first defendant to direct the Additional District Munsif, Alandur to dispose of the suit in O.S.No.620 of 2011 at early.

2. When this matter came up for hearing before this Court on 06.11.2020, the learned counsel for the petitioner has filed a memo stating that as per the orders passed by this Court in Tr.CMP.No.800 of 2018, the suit in O.S.620 of 2011 has been transferred from the Additional District Munsif, Alandur to the Principal District Court, Chengalpattu and re-numbered as O.S.No.181 of 2019 and he requested this court to amend the prayer. Accordingly, prayer in this Civil Revision Petition has been amended.

3. Heard Mr.T.Karunakaran, the learned counsel for the petitioner and Mr.T. S. Vijayaraghavan, the learned counsel for the respondents 1to3.

4. The learned counsel for the petitioner has submitted that this court while disposing of Tr.CMP.No.800 of 2018 has directed the Principal District Judge, Chengalpattu to dispose of both the suits viz., O.S.No.620 of 2011 on the file of the Additional District Munsif, Alandur (Now O.S.No.181 of 2019 on the file of the Principal District Judge, Chengalpattu) and O.S.No.207 of 2013 on the file of the Principal District Judge, Chengalpattu, not later than 30.08.2019. He also produced a copy of the said order.

5. The operative portion of the order passed in Tr.C.M.P.No.800 Of 2018 is extracted hereunder:-

“ Accordingly, OS.No.620 of 2011 is ordered to be withdrawn from the file of Additional District Munsif Court at Alandur and to transfer to the file of Principal District Court,

Chengalpat. The learned Additional District Munsif, Alandur is directed to transmit the case records pertaining to O.S.No.620 of 2011 to Principal District Court, Chengalpat, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such records, the Principal District Judge, Chengalpat, is directed to dispose the Suit in O.S.No.620 of 2011 along with OS.No.207 of 2013 by joint trial or simultaneous trial, not later than 30.08.2019, since both the cases are pending for more than 5 years. It is left open to the Principal District Judge to decide for joint trial or for simultaneous trial. No costs”.

6. In pursuance of the aforesaid order, the suit in O.S.No.620 of 2011 has been transferred from the file of the Additional District Munsif, Alandur to the Court of the Principal District Judge, Chengalpattu and renumbered as O.S.No.181 of 2019 and the same is pending. Since already this Court issued direction in Tr.C.M.P.No. 800 of 2018 to dispose of the aforesaid suit along with O.S.No.207 of 2013, at early in this C.R.P no separate order need to be passed. It is sufficient to give a direction to the Principal District Judge, Chengalpattu to dispose of the aforesaid suits as per the directions issued by this Court in Tr.C.M.P.No. 800 of 2018.

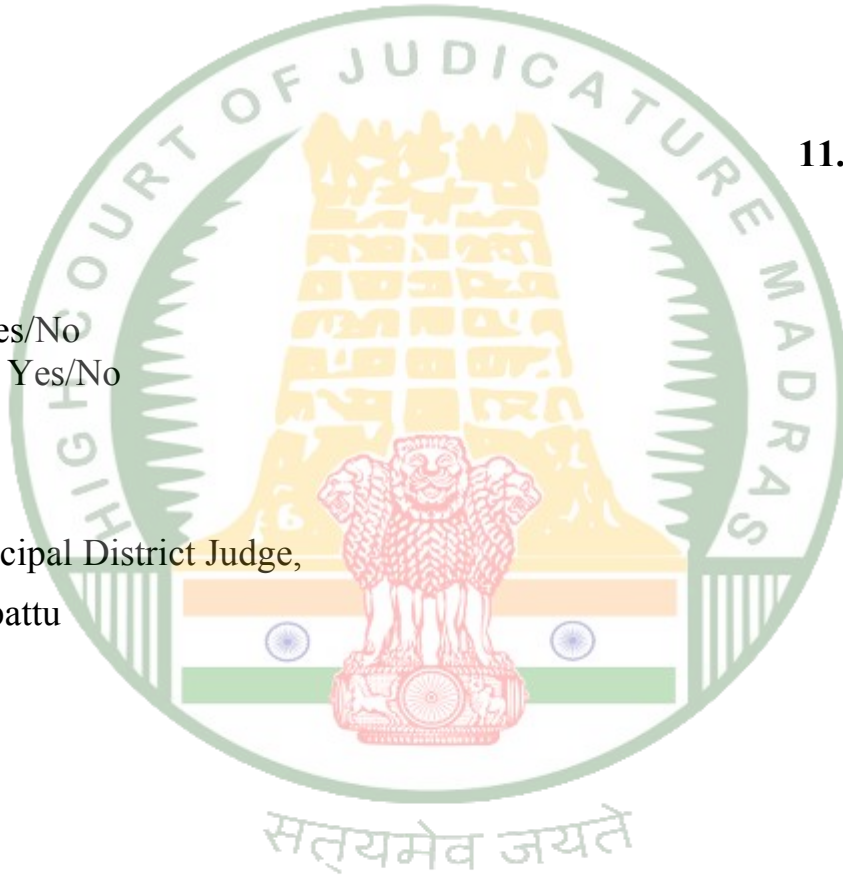
7. In the result, this CRP is disposed of with a direction that the Principal District Judge, Chengalpattu has to dispose of the aforesaid suits as per the directions issued by this Court in Tr.C.M.P.No.800 of 2018 dated 11.01.2020. No costs.

11.11.2020

Vv

Index :Yes/No
Internet : Yes/No

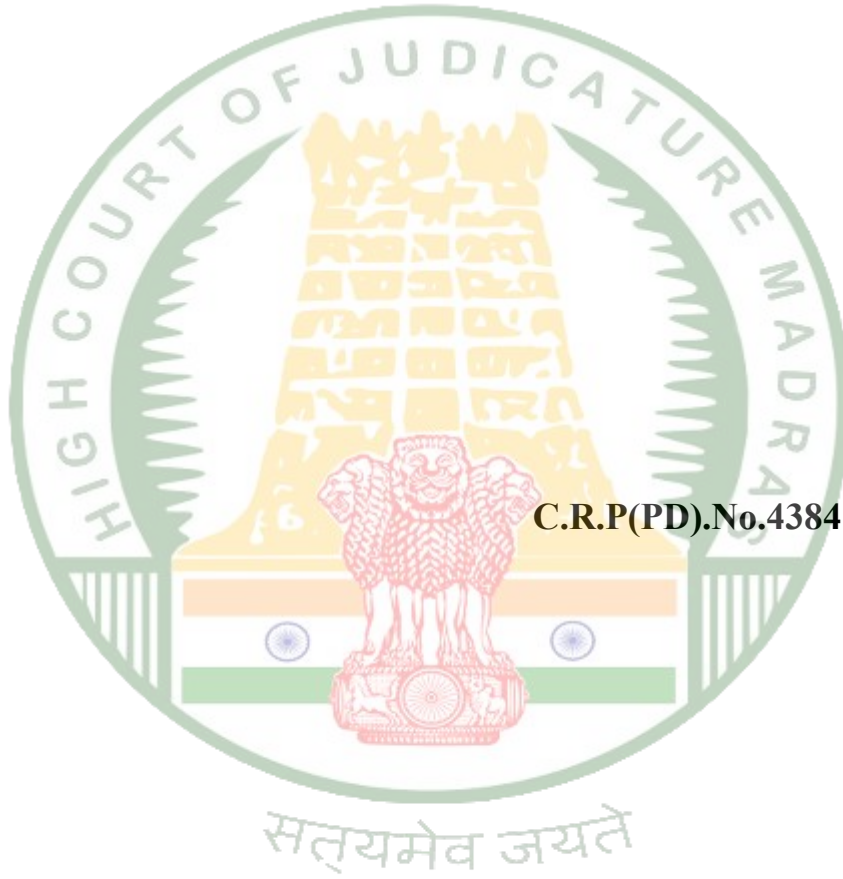
To
The Principal District Judge,
Chengalpattu



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P.RAJAMANICKAM.J.,

Vv



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