

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.05.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

C.R.P.No.1911 of 2019 and
C.M.P.Nos.12593 & 26102 of 2019

1. Kolli Venkata Mohana Rao
2. Kolli Muralikrishna

... Petitioners

-vs-

Joseph Christian Krishnaraj (died)
1.J.M.Patrica
2.Angela
3.Gopi
4.S.P.Velayudham

... Respondents

PRAYER: Petition filed under Section 227 of Constitution of India to set aside the order and decretal order passed by the learned Additional District Judge, Chenglepet, Kancheepuram District in I.A.No.319 of 2018 in O.S.No.65 of 2012 dated 15.02.2019 pending on the file of the Additional District Judge, Kancheepuram, by allowing the above Civil Revision Petition.

For Petitioners : Mr.M.Prabhakar
For R1 : Mr.S.Sivakumar
For R4 : Mr.K.Surendar
For R2 & R3 : No appearance

(cause title typed as per the original order dated 31.01.2020)

INTERIM ORDER

This Petition has been listed today on the basis of the letter of the Additional District Judge, Chengalpattu dated 30.04.2020, seeking for extension of four months' time to dispose of O.S.No.65 of 2012. The gist of the letter is extracted hereunder:

“I humbly submit that, the Hon’ble High Court, Madras has directed this court to dispose of the case in O.S.65/2012 on the file of Additional District Court, Chengalpattu on or before 30.04.2020 as per the order under reference 1st cited. I further submit that, due to COVID-19 Pandemic, Nationwide lockdown and in view of the above Hon’ble High Court’s circular under reference 2nd cited the case could not be disposed of as directed by the Hon’ble High Court, Madras. Hence, I humbly pray that the Hon’ble High Court may kindly be granted four months time to dispose of the above case after resuming the regular court work.”

2. It is seen that on 31.01.2020, this Court had dismissed the main petition with a direction to the Trial Court, namely, Additional District Court, Chenglepet, Kancheepuram District to dispose of O.S.65 of 2012 pending on its file on or before 30.04.2020. The direction issued by this Court reads as follows:

“18.In the result, this Civil Revision Petition stands dismissed. Since the matter is pending from the year 2012, the Trial Court is hereby directed to proceed with the trial and dispose of the case on or before 30.04.2020. No costs. Consequently, connected miscellaneous petition if any stands closed.”

3. The request for extension of time has culled out on account of the fact that the case in O.S.65 of 2012 has not been disposed of within the stipulated time due to the unforeseen circumstances, namely, nationwide lock down followed by the rapid spread of Corona Virus throughout the Country / State. Hence, the Additional District Judge, Chengalpattu has solicited for grant of further time for disposal of the case.

4. Finding justification in the request made by the Additional District Judge, Chenglepet and considering the fact that a full-fledged Trial in the case in O.S.No.65 of 2012 is not possible in the near future, owing to Covid-19 Pandemic, the time for disposal of the case in O.S.No.65 of 2012 pending on the file of Additional District Court, Chengalpattu is hereby extended for further period of ***four months from the date of resumption of regular Court work, after the situation is restored to normalcy.***

S.VAIDYANATHAN, J.

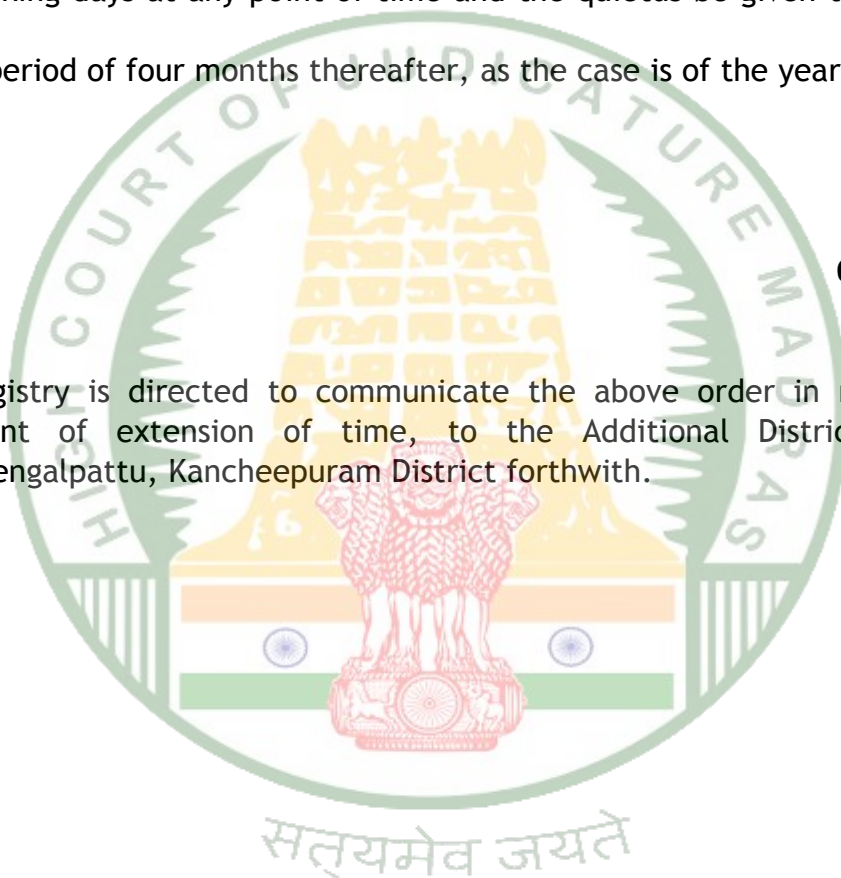
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5. It is made clear that once the Trial in the case is begun, the same shall be conducted on a day-to-day basis without adjourning the matter beyond three working days at any point of time and the quietus be given to the issue, within a period of four months thereafter, as the case is of the year 2012.

05.05.2020

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Note: Registry is directed to communicate the above order in respect of grant of extension of time, to the Additional District Court, Chengalpattu, Kancheepuram District forthwith.



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