



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.11.2020

Coram:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

C.R.P (NPD) (MD)No.2081 of 2012

WEB COPY

Shanmugathai (died) ... Revision Petitioner/Petitioner

2.Ulagamani Ammal
(2nd petitioner brought on record as Lr of the
deceased sole petitioner vide order
dated 24.02.2015)

.vs.

1.Pavanasam

2.Ulagaraj ... Respondents 1 & 2/Respondents 1 & 2

3.Shanmugavel ... 3rd respondent/3rd respondent

Prayer:-Civil Revision Petition filed under Section 115 of the Code of Civil Procedure, to revise and set aside the dismissal order, dated 22.01.2011, passed in I.A.No.148 of 2010 in un-numbered A.S.No.of 2010 filed before the Sub-Court, Sankarankoil.

For Petitioner : Mr.S.Ramesh Alias Ramiah

For Respondents : Mr.F.X.Eugene

ORDER

The petitioner has filed this Civil Revision Petition against the order dated 22.01.2011 passed in I.A.No.148 of 2010 in un-numbered A.S.No.of 2010, by the Sub-Court, Sankarankoil.

2.The learned counsel appearing for the petitioner sought adjournment stating that he is unable to contact the petitioner so as to ascertain the present status of her claim.

3. It is seen from the records that the matter was listed for admission on 28.09.2012 and notice was ordered and thereafter, the matter has been kept pending till date without any progress.

4. The order under challenge is of the year 2011 and the Interlocutory Application is of the year 2010 and the petitioner failed to move this Civil Revision Petition from the year 2012.

5.The Hon'ble Supreme Court in ***Crl.A.Nos.1375-1376 of 2013 (Asian Resurfacing of Road Agency Private Limited and another Vs. Central Bureau of Investigation)*** by order dated 28.03.2018, has observed as follows:-

³⁶.....In all pending matters before the



High Courts or other Courts relating to PC Act or all other civil or criminal cases, where stay of proceedings in a pending trial is operating, stay will automatically lapse after six months from today unless extended by a speaking order on above parameters. Same course may also be adopted by civil and criminal appellate / revisional Courts under the jurisdiction of the High Courts. The trial Courts may, on expiry of above period, resume the proceedings without waiting for any other intimation unless express order extending stay is produced.

37.The High Courts may also issue instructions to this effect and monitor the same as that civil or criminal proceedings do not remain pending for unduly period at the trial stage."

6. In the said circumstances, no useful purpose will be served in keeping this petition pending at this length of time and hence, the Civil Revision Petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

am/pm

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

To
The Sub Judge,
Sankarankoil.

+1 CC to M/s.F.X.EUGENE, Advocate (SR-22459[F] dated 23/11/2020)

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19.11.2020

SE (CO)

AP(01/12/2020) 2P 3C

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