



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.11.2020

Coram:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

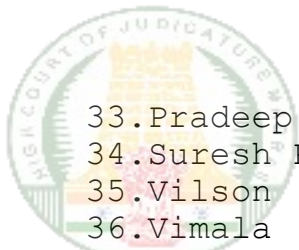
C.R.P (NPD) (MD)No.2245 of 2012

- 1.Renuka
- 2.Buvanendran
- 3.Thamayanthi
- 4.Aananthavalli

... Petitioners/Petitioners/Appellants

.vs.

- 1.Mahadevi Ammal
- 2.Aanrani
- 3.Sulosana Bai
- 4.Chandrasekaran Nayar
- 5.Raghavan
- 6.Thangamma Pillai
- 7.Thamarachi
- 8.Krishnan Nayar
- 9.Narayanan Nayar
- 10.Kamalamma
- 11.Bangajam
- 12.Murugan
- 13.Sridharan
- 14.Ravindran
- 15.Ramachandran
- 16.Balachandran
- 17.Rajendran
- 18.Dileppan
- 19.Omana
- 20.Sajeep Kumar
- 21.Tayatash
- 22.Santhiya
- 23.Bindu
- 24.Kanakamma
- 25.Devaraj
- 26.Jeyaraj
- 27.Vimala
- 28.Ramalakshmi
- 29.Usha
- 30.Magila
- 31.Sarala
- 32.Kumar



33.Pradeep Kumar
34.Suresh Kumar
35.Vilson
36.Vimala
37.Radhamani

(R1 to R23, 25 to 27, 35 to 37 were set ex-party
in the lower court, hence, they are given up
in the above Civil Revision Petition)

...Respondents/Respondents/
Respondents

Prayer:- Civil Revision Petition filed under Section 115 of the Code of Civil Procedure, to set aside the order,, in I.A.NO.334 of 2005 in S.A.S.R.No.2892 of 2005 on the file of the Sub-Court, Kulithurai.

For Petitioners : Mr.P.Thirumahil Maran

For R24 to R26,28,
32 to 35 : Mr.K.N.Thampi

For R29,R30 & R31 : No appearance

R1 to R23, R25 to R27,
R35 to R37 : given up

ORDER

The petitioners have filed this Civil Revision Petition against the order, dated 02.12.2011 passed in I.A.NO.334 of 2005 in S.A.S.R.No.2892 of 2005 by Sub-Court, Kulithurai.

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

3. It is seen from the records that the matter was listed for admission on 17.10.2012 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 Second Appeal is of the year 2005 and the petitioners 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-I)

// 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

1. The Subordinate Judge,
Kuzhithurai.

+1 CC to M/s.K.N.THAMBI, Advocate (SR-22128[F] dated 19/11/2020)

C.R.P(NPD) (MD)No.2245 of 2012
19.11.2020

SGS (CO)

TR(30.11.2020) 3P 3C