



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2020

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

C.R.P(PD) (MD)No.964 of 2013

WEB COPY

S.P.Arunachalam

... Petitioner / Plaintiff
Vs.

1.Pon Baskar
2.S.Muthusamy
3.K.R.Ramachandran
4.A.R.Radha
5.C.T.Suresh
6.R.M.Muthaiah
7.M.Manikandan
8.S.Vishnu Raja
9.A.R.Alagappan

... Respondents / Defendants

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, in I.A.No.208 of 2011 in O.S.No.152 of 2010 on the file of the learned Sub Judge, Devakottai praying to direct the learned Sub Judge, Devakottai within the time frame that may be stipulated by this Court.

For Petitioner : Mr.R.Sundar Srinivasan

For Respondents : Mr.V.Balaji for R3 to R9
No Appearance for R1 & R2

ORDER

The petitioner has preferred this Civil Revision Petition seeking direction to the learned Sub Judge, Devakottai to dispose of the interlocutory application in I.A.No.208 of 2011 in O.S.No.152 of 2010 on the file of the learned Sub Judge, Devakottai within the time frame that may be stipulated by this Court.

2. It is the case of the petitioner that the suit properties are classified as reserved lands by the scheme framed in O.S.No.72 of 1933 by the learned Subordinate Judge, Devokottai and the same are maintained by the Receiver, who was appointed in O.S.No.72 of 1933 by the learned Subordinate Judge, Devokottai. While so, the respondents 1 to 9 illegally alienated the said properties. Pursuant to the said transactions made in the above said reserved lands, the petitioner/plaintiff, who is one of the sharers, has filed the present suit in O.S.No.152 of 2010 before the learned Subordinate Judge, Devakottai for mandatory injunction as the right of the property of the share holders is being infringed. The petitioner also filed an interlocutory application in I.A.No.208 of



2011 in O.S.No.152 of 2010 before the learned Subordinate Judge, Devakottai to restrain the defendants/respondents from further alienating the said reserved lands which are under the control of the Court. Though the said application is of the year 2011, till date, the learned Judge did not take any steps to dispose of the said interlocutory application. Therefore, the petitioner came forward to file this Civil Revision Petition with a direction to direct the learned Sub Judge, Devakottai to dispose of the interlocutory application in I.A.No.208 of 2011 in O.S.No.152 of 2010.

3. Heard the learned counsel for the petitioner and the learned counsel for respondents 3 to 9 and also perused the materials available on record. Both the parties are not in a position to place the present status of the case on hand.

4. Considering the facts and circumstances of the case and also considering the limited prayer sought for in this Civil Revision Petition, this Court directs the learned Subordinate Judge, Devakottai to dispose of the interim application in I.A.No.208 of 2011 in O.S.No.152 of 2010, within a period of three months from the date of receipt of a copy of this order, if not disposed of earlier.

5. with the above direction, this Civil Revision Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsm

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, Devakottai.

<https://hcservices.ecourts.gov.in/hcservices/>



2. The Record Keeper, V.R.Section,
Madurai Bench of Madras High Court,
Madurai.(2 Copies)

+1 CC to M/s.NIRANJAN S. KUMAR, Advocate (SR-22569[F] dated
24/11/2020)

+1 CC to M/s.R.SUNDAR SRINIVASAN, Advocate (SR-22235[F] dated
20/11/2020)

C.R.P (PD) (MD) No. 964 of 2013
20.11.2020

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