



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.08.2020

CORAM

THE HON'BLE MR.JUSTICE **S.S.SUNDAR**

C.R.P (NPD) (MD)No.353 of 2019

State Bank of India,
Agriculture Development Branch,
Alapuzha,
Represented by its Chief Manager

...Petitioner/Petitioner/5th
Defendant

Vs

1.A.N.Lakshmanan Chettiar
2.A.S.SV.Chinna Sevugan Chettiar Alias A.S.Sevugan
3.T.Annamalai alias Jeyam
4.T.Seethalakshmi Achi
5.V.Maragatha Valli
6.L.Lakshmi Achi

7.O.RM.M.SP.SV.AN.Annamalai Chettiar
Education Trust having its registered office
at No.10, Chathirathar Street,
Devakottai represented by Managing Trustee
A.N.Lakshmanan Chettiar
S/o.Annamalai Chettiar
No.10.Chathirathar Street,
Devakottai.

8.O.RM.M.SP.SV.AN.Annamalai Chettiar
Medical Trust having its registered office
at No.10, Chathirathar Street,
Devakottai represented by its Trustee
A.N.Lakshmanan Chettiar
S/o.Annamalai Chettiar and
ASSV.Chinna Sevugan Chettiar alias A.S.Sevugan
S/o.Annamalai Chettiar,
No.10.Chathirathar Street,
Devakottai.

9.Jeyam Plantation (Firm)
represented by Managing Partner,
A.N.Lakshmanan Chettiar,
S/o.Annamalai Chettiar,
No.10.Chathirathar Street,



Devakottai.

10.L.Sevugan Chetty : Respondents 1 to 10/Respondents 1 to 10/
Plaintiffs
(for himself and as guardian for his minor daughter Harini lakshmi)

11.A.P.Razak (Died)

12.K.P.Hamzaa Hajee

13.E.K.Saleem

14.Joby K.Mathew : Respondents 11 to 14/Respondents 11 to 14
Defendants 1 to 4

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to direct the learned District Judge to dispose the I.A.No.100 of 2018 in O.S.No.32 of 2008 on the file of the District Court, Sivagangai within a time limit fixed by this Hon'ble Court by allowing this Civil Revision Petition.

For Petitioner : Pala Ramasamy

ORDER

This Civil Revision Petition is filed for a direction to the learned District Judge to dispose of the I.A.No.100 of 2018 in O.S.No.32 of 2008 on the file of the District Court, Sivagangai, within the time limit.

2.The revision petitioner in the Civil Revision Petition is the fifth defendant in the suit in O.S.No.32 of 2008 on the file of the District Court, Sivagangai. The suit was for restraining the defendants by an order of injunction from taking any proceedings regarding the suit property and for directing the defendants being interpleaded together for their right and title to a sum of Rs.1,05,00,000/- and for consequential relief.

2.During the pendency of the suit in O.S.No.32 of 2008, the fifth defendant filed an application in I.A.No.100 of 2018 for permitting the bank to withdraw the amount deposited by the respondents in the interpleader suit on 15.11.2000. Stating that the said application is pending for more than two years, the above Civil Revision Petition came to be filed seeking a direction to the District Judge, Sivagangai, to dispose of I.A.No.100 of 2018 in O.S.No.32 of 2008 on his file.

3.Having regard to the nature of suit and the relief in I.A.No.100 of 2018 and the peculiar facts and circumstances of the case, this Court is of the view that a direction for early disposal of I.A.No.100 of 2018 will serve some purpose. Hence, this Court is inclined to allow this Civil Revision Petition and accordingly, this Civil Revision Petition is allowed. The learned District Judge, Sivagangai, is directed to expedite and dispose of I.A.No.100 of



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C.R.P(PD)(MD)No.353 of 2019

2018 in O.S.No.32 of 2008, within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (ADII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

SRM

To

The District Court,
Sivagangai.

C.R.P (NPD) (MD) No.353 of 2019
04.08.2020

KB(17.08.2020) 3P 2C