



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 09.12.2020**

**CORAM :**

**THE HONOURABLE MRS.JUSTICE S.ANANTHI**

**C.R.P. (MD) No. 2646 of 2015 (NPD)**

1. Rathna Sigamany
2. Belarmin Joseph

... Petitioners/Petitioners/Plaintiffs

vs.

1. Roman Catholic Church,  
Kottar Bishop, .
2. Parish Priest, Kappukadu,  
Saint Antony's Church, Kappakadu.

...Respondents/Respondents/  
Defendant Nos.1 & 2

**PRAYER:** Petition filed under Article 227 of the Constitution of India, to direct the Principal District Munsif, Nagercoil for early disposal of E.P. No. 293 of 2006 in O.S. No. 169 of 1998 and to allow the Civil Revision Petition.

For Petitioners : Mr.P.Thiagarajan

For Respondents : Mr.R.T. Arivukumar  
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### **O R D E R**

The Civil Revision Petition has been filed by the Revision Petitioners seeking direction to expedite the disposal of E.P. No. 293 of 2006 in O.S. No. 169 of 1998, on the file of the learned Principal District Munsif, Nagercoil, within the time frame fixed by this Court.

2. The revision petitioners are the plaintiffs and the revision respondents are the defendant nos.1 & 2 in O.S.No.169 of 1998 before the learned Principal District Munsif, Nagercoil. The petitioners/plaintiffs have filed O.S.No.169 of 1998 seeking permanent injunction and other reliefs against the respondents/defendants and others and the same was dismissed by order, dated 08.08.2003 and against the same, the revision petitioners have preferred an appeal in A.S. No.32 of 2004 and the



same was decreed in favour of the revision petitioners/plaintiffs herein, by order dated 10.02.2005. Based on the decree dated, 10.02.2005, the revision petitioners/plaintiffs have filed a execution petition in E.P. No. 293 of 2006 in O.S. No. 169 of 1998 on the file of the Principal District Munsif, Nagercoil and the same is pending without passing any orders before the trial Court. Therefore, the revision petitioners have come forward with this Civil Revision Petition invoking the extraordinary jurisdiction of this Court under Article 227 of Constitution of India, seeking direction to the learned Principal District Munsif, Nagercoil for speedy disposal.

3. Heard the learned counsel for the revision petitioners and the learned counsel for the respondents and perused the available records.

4. The petitioners/plaintiffs have filed E.P. No. 293 of 2006 in O.S. No. 169 of 1998 on the file of the learned Principal District Munsif, Nagercoil and the same is pending from 2006.

5. No prejudice would be caused to the respondents, if this Court directs the learned Principal District Munsif, Nagercoil to dispose the E.P. No. 293 of 2006 in O.S. No. 169 of 1998 within a period stipulated by this Court. Hence, this Court is inclined to pass the following Order.

6. In the result,

(i). this Civil Revision Petition No.2646 of 2015 is allowed.

(ii). The learned Principal District Munsif, Nagercoil is directed to dispose the E.P. No. 293 of 2006 in O.S. No. 169 of 1998 within a period of three months from the date of copy of receipt of this order. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1. The Principal District Munsif, Nagercoil.



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

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Order made in  
**C.R.P. (MD) No.2646 of 2015 (NPD)**

**09.12.2020**

**SJ** (CO)

NR (22/12/2020) 3P : 4C