

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

C.R.P. (PD) No.1660 of 2021

Marayeammal (Died)

1.R.Ganesan

2.R.Palanivel

3.R.Subramaniam

Petitioners /
Plaintiffs

versus

1.Karikalan

2.Mani

3.Palanivel

4.Ramayeeammal

Thoppalan (Died)

5.Karuppanan

6.Mottiyan

Arumugham (Died)

7.Sengoda Gounder

8.Ganapathy

9.Periyasamy

10.Kandasamy

11.Selvaraj

12.Ramasamy

...

Respondents /

Defendants 1 to 4, 6 & 7, 9 to 14

Pachiammal (Died)

- 13.Manickam
- 14.Murugesan
- 15.M.Varatharajan
- 16.Velliammal
- 17.Karupayee
- 18.Prakash

Suresh (Died)

- 19.Malarvizhi
- 20.Minor Pradeep,
S/o.Late Suresh,
Rep. by Mother and Guardian
Malarvizhi
- 21.Minor Goutham,
S/o.Late Suresh,
Rep. by Mother and Guardian
Malarvizhi

Respondents /
Defendants 16 to 21, 23 to 25

PRAYER: Civil Revision Petition has been filed under Article 227 of the Constitution of India, to direct the earlier disposal of the suit in O.S. No.126 of 1996 (O.S.No.326 of 1992, on the file of the Sub Court, Salem), on the file of the learned Principal District Munsif, Attur, Salem District, within a time frame as may be fixed by this Court, by allowing this Civil Revision Petition.

For Petitioners : Mr.W.M.Abdul Majeed

ORDER

This Civil Revision Petition is filed seeking direction to the learned Principal District Munsif, Attur, Salem District, to dispose of O.S.No.126 of 1996, within a time frame to be stipulated by this Court.

2. The learned counsel for the petitioners submitted that, the petitioners filed O.S.No.126 of 1996 for the relief of declaration of title and for injunction. Some of the defendants have filed O.S.No.73 of 1992 for the relief of declaration of title and for injunction in respect of one property in O.S.No.126 of 1996. This Court enquired the learned counsel for the petitioners as to why these matters are pending from 1992 and 1996, he submitted that, there was a delay in impleading the legal representatives of the deceased parties. Now that, all the legal representatives of the deceased parties had been impleaded and the case is pending for trial.

3. It is seen that O.S.No.73 of 1992, is pending for almost close to 2 decades and O.S.No.126 of 1996, is pending for 15 years. This case comes under the category of old cases of more than 10 years.

Therefore, the learned Principal District Munsif, Attur, Salem District, is directed to dispose of O.S.No.126 of 1996, as expeditiously as possible, preferably, within a period of three (3) months from the date of receipt of a copy of this order. If found necessary, the learned Principal District Munsif, Attur, Salem District, may also try this suit along with O.S.No.73 of 1992.

4. This Civil Revision Petition is disposed of accordingly.

However, there is no order as to costs.

18.08.2021

Speaking order / Non-speaking order

Index : Yes / No

sri

To

The Principal District Munsif,
Attur, Salem District.

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G.CHANDRASEKHARAN, J.

sri



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