

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

C.R.P. (PD) No.1505 of 2021

A.Jayaseelan (Deceased)
Rep. by his Legal Heir
J.Malathi

1.J.Malathi
W/o.Kartheepan,
No.1, Third Main Road,
Thillai Ganga Nagar,
Chennai - 600 061.

Petitioners /
Plaintiffs

versus

1.R.Arumugam

2.The General Manager,
L.I.C. of India,
Chennai - 600 042.

3.The Sub Registrar,
Velacherry,
Chennai - 600 042

4.The Branch Manager,
LIC Housing Finance,
Saidapet Branch,
Saidapet, Chennai.

5.The Sub-Registrar,
Velacherry,
Chennai - 600 042.

...

Respondents /
Defendants

PRAYER: Civil Revision Petition has been filed under Article 227 of the Constitution of India, to direct the learned District Munsif, Alandur, to dispose of the suit in O.S.No.831 of 2007 on its file, within a stipulated time, by allowing this Revision Petition.

For Petitioner : M/s.R.Hemalatha

ORDER

This Civil Revision Petition is filed seeking a direction to the learned District Munsif, Alandur, to dispose of the suit in O.S.No.831 of 2007 on its file, within a stipulated time.

2. The learned counsel appearing for the petitioners submitted that, originally the suit was filed by Mr.A.Jayaseelan, for the relief of permanent injunction against the defendants 1 and 2, from alienating or otherwise making any disposal or creating any third party interest or any encumbrance over the suit schedule property; for permanent injunction against the third defendant, his subordinates, staff working in the

office, servants restraining him from receiving and registering any sale deed, settlement deed, mortgage, and other instruments, conveyances, in respect of the suit schedule property from alienating or otherwise making any disposal or creating any third party interest or any encumbrance over the suit schedule property; and for mandatory injunction against the first defendant, to demolish and remove the unauthorised construction from the suit schedule property by restoring the suit schedule land to its original position in the interest of justice.

3. The case of the petitioners / plaintiffs is that, the first plaintiff has purchased the suit schedule property from P.Maheswari on 01.11.1990 and since then, the plaintiffs are in possession and enjoyment of the suit property. The first defendant is a stranger to the suit property and is now trying to sell the said property to the third party innocent purchasers to create third party interest in the said property. Therefore, the suit was filed for the reliefs aforesaid. The suit was filed and numbered as O.S.No.831 of 2007.

4. The learned counsel appearing for the petitioners submitted that, the pleadings have been completed in this case, issues also framed and the suit is pending for trial. This suit is of the year 2007 and it appears from the submissions made by the learned counsel for the petitioner that, till date, not a single witness, is examined. This case comes under the category of old cases of more than 10 years. Therefore, this Court accepts to the request made by the learned counsel for the petitioners and directs the learned District Munsif, Alandur, to dispose of the suit in O.S.No.831 of 2007, on merits and in accordance with law, within a period of three (3) months from the date of receipt of a copy of this order.

5. This Civil Revision Petition is ordered accordingly. However, there is no order as to costs.

02.08.2021

Speaking order / Non-speaking order

Index : Yes / No

sri

To

The District Munsif, Alandur.



WEB COPY

G.CHANDRASEKHARAN, J.

sri



C.R.P. (PD) No.1505 of 2021

WEB COPY

02.08.2021