

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE V.BHAVANI SUBBAROYAN

C.R.P.No.2328 of 2020

1.Lakshmi Sethuraman

2.Subbulakshmi Krishnan

3.Vasanthi Sivakumar

.. Petitioners

Vs.

1.Sambasiya Rao

2.Ramakrishnan

..Respondents

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, praying for a direction directing the learned Principal District Munsif Judge, Alandur to dispose of the suit in O.S.No.917 of 2013 within the time fixed by this court.

For Petitioners : Mr.L.Baskaran

ORDER

The Civil Revision Petition has been filed by the petitioners praying for a direction directing the learned Principal District Munsif Judge, Alandur to dispose of the suit in O.S.No.917 of 2013 within the time fixed by this court.

2. The suit is filed by the plaintiffs with a prayer for a permanent injunction restraining the defendants, their men, agents, servants and any other person or persons claiming through them from in any manner interfering with the plaintiffs' peaceful possession and enjoyment of the suit property or in any manner trespassing into the suit property and for costs.

3. The learned counsel for the petitioners would submit that the petitioners/ plaintiffs have filed an application in I.A.No.1663 of 2013 under Order 39 Rule 1 and 2 CPC and Section 151 seeking for ad-interim injunction restraining the respondents/ defendants from interfering with the petitioners/ plaintiffs peaceful possession and enjoyment of the suit property and the same was granted till 23.10.2013. He would further submit that the suit was filed on 05.10.2013 and the respondents filed their written statement only on 05.04.2016 after lapse of 3 years and thereafter, there is no progress in the trial. Hence, he prays for a direction for earlier disposal of the suit.

4. From the adjudications, it could been seen that the suit has

been filed in the year 2013 and an interim injunction petition was filed in the year 2017 and the suit has been posted for counter and evidence and no other details has been shown. Whether the issues have been framed or not is also not known.

5. Hence, this court is of the view that if the issues have not been framed the learned Principal District Munsif, Alandur shall frame issues within a period of four (4) weeks and fix a date for trial and proceed with the trial and dispose of the suit **on or before 30th September 2021**. Accordingly, this Civil Revision Petition is **disposed of**. No costs.

16.02.2021

dsa

Index :Yes/No

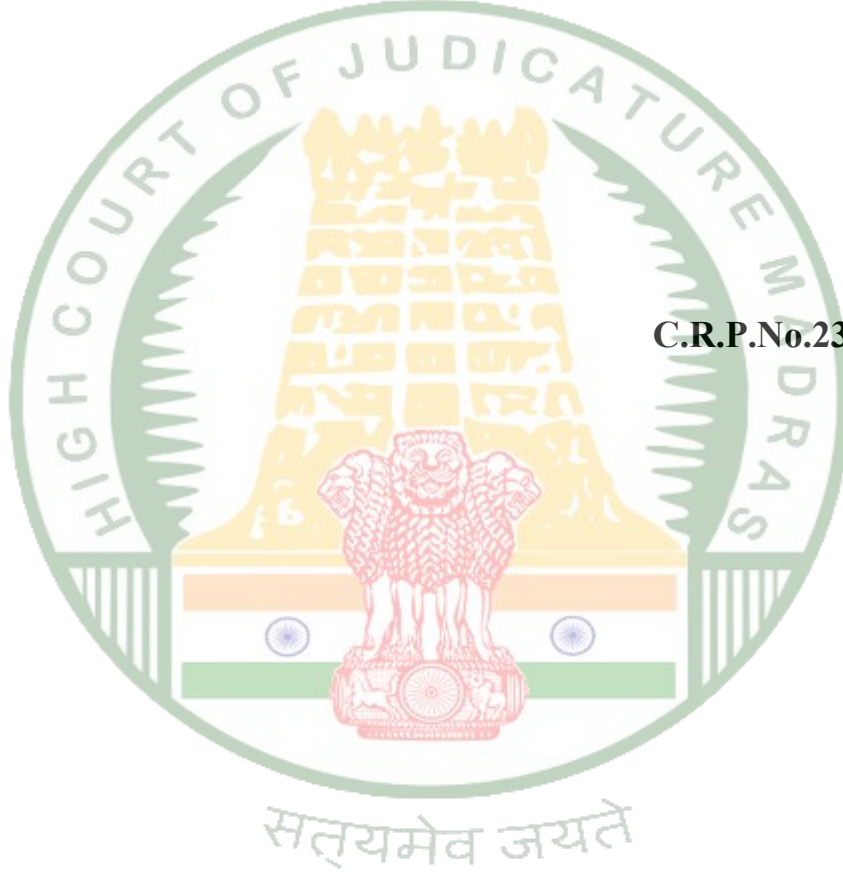
Internet :Yes/No

Speaking order/ Non-Speaking order

To

The Principal District Munsif Judge, Alandur.

V.BHAVANI SUBBAROYAN, J.



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