



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2021

CORAM :

THE HON'BLE MR.JUSTICE G.CHANDRASEKHARAN

C.R.P.No.2232 of 2021

1.P.Mylsamy
2.M.Maheswari

...Petitioners

Vs

1.Ponnusamy
2.Rakkiyaplan

...Respondents

PRAYER : Civil Revision Petition filed under Section 227 of Constitution of India praying to direct the Learned District Munsif Court, Pollachi to dispose of the Suit in O.S.No.147 of 2016 within a time frame to be fixed by this Court.

For Petitioners : Mr.V.Sairam

O R D E R

This Petition is filed seeking direction to the Learned District Munsif, Pollachi to dispose the O.S.No.147 of 2016 within a time frame to be fixed by this Court.

2.The Learned Counsel for the Petitioners submitted that Respondents filed Suit for permanent injunction against the Petitioners. The Petitioners filed written statement. Meanwhile, the second plaintiff was dead and I.A.No.1062 of 2018 was filed to implead the legal representatives and that was allowed. Now the case is pending for amending the plaint. The suit was filed in 2016 and the case is unnecessarily pending because of non co-operative attitude of the Respondents. Therefore, this petition.

3.It is seen from the extract of the A diary produced that some interlocutory applications were filed and because of



pending of those interlocutory applications, there was not much progress in the case. Written statement was filed only on 02.02.2021. The Learned Counsel for the Petitioner submitted that the First Petitioner, P.Mylsamy is a senior citizen and more than 70 years old and he is a heart patient.

4.Taking note of the fact that the First Petitioner, P.Mylsamy is a senior citizen and this case is of five year old case and not even issues have been framed in this case, this Court directs the Learned District Munsif, Pollachi to expedite the process of amending the plaint, framing issues and conduct trial and dispose the case as expeditiously as possible, preferably within a period of four months from the date of receipt of a copy of this order.

5.Accordingly, this Civil Revision Petition is allowed.
No costs.

Sd/-
Assistant Registrar

// True Copy //

Sub Assistant Registrar

ay/jai

To

The District Munsif,
Pollachi.

Copy to

The Section Officer,
V.R.Section,
High Court, Madras.

+1cc to Mr.V.Sairam, Advocate SR.No.53590

C.R.P.No.2232 of 2021

SS(CO)
RVM(10/11/2021)