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C.M.P.No.15664 of 2021

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In

C.R.P.No.879 of 2021

C.V.KARTHIKEYAN,J.

In the first place, the application seeking modification of a final order itself is not maintainable.

2. A copy of the present order should be forwarded to the Registrar (Judicial) of Principal Seat of Madras High Court. He may get an explanation from the particular Appeal Examiner as to how the application was in the first place numbered and seeking the provision of law under which it had been numbered. Section 151 C.P.C does not contemplate modification of any final order passed by a Court.

2. By the order in the Civil Revision Petition, a direction was issued to the District Munsif to conduct trial on a day to day basis and if that is not possible, to ensure that not more than three working days are granted in between any two adjournments.



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3. It is complained by the learned counsel for the petitioner

that on the date when the said order was passed, the issues had not been framed. However, now the issues have been framed. Both the petitioner and the respondent herein appear to have taken a fancy to file various applications before the Trial Court. At any date, even if such applications are filed, the District Munsif is still placed under an obligation to take up and hear them in accordance with the direction in the order dated 06.07.2021.

4. If the learned counsel for the petitioner expresses some difficulty owing to the fact that the petitioner is in Bombay and the advocate is in Chennai, then this Court cannot be called to make necessary arrangements for their participation in the Judicial proceedings. Procrastination cannot be either encouraged or even appreciated by this Court. This Petition is dismissed.

5. The explanation as sought aforesaid may be placed by circulation before this Court.

22.12.2021



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Nsr

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Registrar (Judicial),
Principal Seat of Madras High Court,
Chennai.

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