

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.08.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P.(PD).No.2861 of 2017

and

C.M.P.No.13483 of 2017

1.K.P.Sankaran Nair

2.S.Radhakrishnan

3.S.Ravichandran

... Petitioners

Vs.

Malarvizhi

... Respondent

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India, against the fair and decretal order dated 24.04.2017 made in I.A.No.1196 of 2015 in O.S.No.37 of 2009 on the file of the Principal District Munsif Court, Alandur.

For Petitioners : Mr.Srinidhi
for Mr.C.B.Santhosh Kumar

For Respondent : Mr.D.Charles Muthushanthan

ORDER

(The matter is heard through “Video Conferencing/Hybrid Mode”).)

This Civil Revision Petition is filed against the fair and decretal order

dated 24.04.2017 made in I.A.No.1196 of 2015 in O.S.No.37 of 2009 on the file of the Principal District Munsif Court, Alandur.

2.The learned counsel appearing for the petitioners submitted that the 1st petitioner, who is the plaintiff, filed the suit in O.S.No.37 of 2009 for permanent injunction restraining the respondent from interfering with his peaceful possession and enjoyment of the suit property. Pending suit in O.S.No.37 of 2009, the 1st petitioner filed I.A.No.1196 of 2015 to implead the petitioners 2 and 3 as plaintiffs 2 and 3. The respondent opposed the said application. The learned Judge dismissed the said I.A.No.1196 of 2015. Against the said order of dismissal dated 24.04.2017 made in I.A.No.1196 of 2015 in O.S.No.37 of 2009, the present Civil Revision Petition has been filed. Pending C.R.P., the 1st petitioner died and the petitioners 2 and 3 have already filed I.A. to implead them as legal heirs of the 1st petitioner in the suit. The learned counsel appearing for the petitioners further submitted that in view of the same, the present Civil Revision Petition may be dismissed directing the learned Judge to dispose of the suit within the time frame fixed by this Court.

3.The learned counsel appearing for the respondent also submitted that

in view of the petition filed by the petitioners 2 and 3 to implead them as legal heirs of the 1st petitioner in the suit, this Civil Revision Petition may be dismissed.

4.Heard the learned counsel appearing for the petitioners as well as the learned counsel appearing for the respondent and perused the entire materials on record.

5.Recording the submissions made by learned counsel appearing on both sides, this Civil Revision Petition is dismissed. The suit is of the year 2009 and the learned Principal District Munsif, Alandur is directed to dispose of the suit as expeditiously as possible, in any event not later than six months from the date of receipt of a copy of this order. Consequently, the connected Miscellaneous Petition is closed. No costs.

11.08.2021

krk
Index : Yes / No
Internet : Yes / No

To
The Principal District Munsif,
Alandur.

V.M.VELUMANI, J.
krk



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