



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2021

CORAM

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

C.R.P. (MD) No.260 of 2021

1.V.Selvam
2.V.Rajendran
3.S.Kamatchi

... Petitioners

Vs.

1.T.Maruthamuthu
2.V.Sivamani

... Respondents

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, to pass an order to dispose of the appeal suit in A.S.No.239 of 2012 pending on the file of the learned Principal Subordinate Court, Trichy within a time fixed by this Court.

For Petitioners : Mr.R.Venkatesan
for Right Law Associates.

ORDER

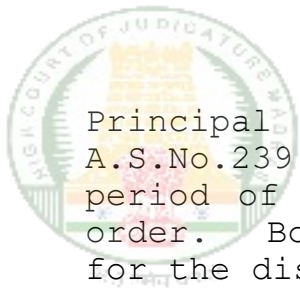
This civil revision petition has been filed to direct the learned Principal Subordinate Court, Trichy to dispose of the A.S.No.239 of 2012, within a time frame.

2.The learned counsel for the petitioners submitted that the first respondent herein filed a suit in O.S.No.1318 of 2007 for permanent injunction restraining the defendants from interfering in the peaceful possession and enjoyment of the suit property. The petitioners herein are the defendants in the said suit. The said suit was dismissed by a judgment and decree dated 29.10.2011. Aggrieved over the same, the first respondent herein filed an appeal in A.S.No.239 of 2012 before the Principal Subordinate Court, Trichy. The said appeal is pending from the year 2012 till date without any progress. Hence, the petitioners filed the present petition seeking a relief to dispose of the above said appeal, within a time frame.

3.Heard the learned counsel for the petitioners and perused the materials available on record.

4.Since this Civil Revision Petition is filed for early disposal of the suit in A.S.No.239 of 2012 and since no adverse order is going to be passed, notice to the respondents is not necessary.

5.Considering the facts and circumstances of the case and considering the fact that the appeal is pending from the year 2012, this Court feels that ends of justice would be met by directing the Court below to dispose of the case within a time frame. Without



Principal Subordinate Court, Trichy to dispose the suit in A.S.No.239 of 2012 on merits and in accordance with law, within a period of four months from the date of receipt of a copy of this order. Both the petitioners and the respondents shall co-operate for the disposal of the above appeal.

6. With the above direction, this Civil Revision Petition is allowed. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gns

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 Principal Subordinate Court, Trichy.

+1 CC to M/s.RIGHT LAW ASSOCIATES, Advocate (SR-6272[F] dated 19/02/2021)

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MA (CO)

KB(16.03.2021) 2P 3C