



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2021

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THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (MD)No.257 of 2021

Ganesan

... Petitioner

Vs.

1.Ramaathal
2.Arumugam
Thirumurthy (Died)

... Respondents

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned District Munsif Court, Oddanchatram, Dindigul District to dispose of the suit in O.S.No.87 of 2017 within a stipulated time that may be fixed by this Court.

For Petitioner

: Mr.S.C.Herold Singh

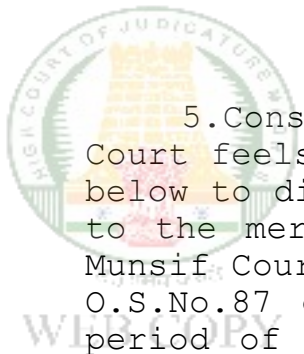
ORDER

This civil revision petition has been filed to direct the learned District Munsif Court, Oddanchatram, Dindigul District to dispose of the suit in O.S.No.87 of 2017 within the time frame.

2.The learned counsel for the petitioner submitted that the petitioner filed a suit in O.S.No.87 of 2017 for declaration declaring the plaint schedule property as a common pathway and for permanent injunction restraining the defendants from interfering in the peaceful possession and enjoyment of the property. The above said suit was periodically adjourned and the case has been posted in the special list. Even thereafter, the suit has been adjourned on several occasions and no finality has been reached and therefore, the petitioner has come forward with the present petition seeking a relief to dispose of the above said suit, within a time frame.

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

4.Since this Civil Revision Petition is filed for early disposal of the suit in O.S.No.87 of 2017 and since no adverse order is going to be passed, notice to the respondent is not necessary.



5.Considering the facts and circumstances of the case, 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 advertting to the merits of the case, a direction is issued to the District Munsif Court, Oddanchatram, Dindigul District to dispose the suit in O.S.No.87 of 2017 on merits and in accordance with law, within a period of six months from the date of receipt of a copy of this order. Both the petitioner and the respondents shall co-operate for the disposal of the above suit.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar

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

1 The District Munsif Court,
Oddanchatram,
Dindigul District.

2 The Registrar(Judicial),
Madurai Bench of Madras High Court,
Madurai.

+1CC to M/s.S.C.HEROLD SINGH, Advocate (SR-6342[F] dated 22/02/2021)

C.R.P. (MD)No.257 of 2021
19.02.2021

gns
MS/05.03.2021/2P.4C