



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.02.2021

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (MD)No.196 of 2021

Ganasekaran (Died)

1.P.Asirvatham

Rani (Died)

2.Robert Jobbray

3.Steepan

... Petitioners

Vs.

Malliga

... Respondent

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, to issue a direction to the District Munsif Court, Ambasamuthiram to dispose the original suit in O.S.No.280 of 2018 on the file of the District Munsif Court, Ambasamuthiram, within the stipulated period.

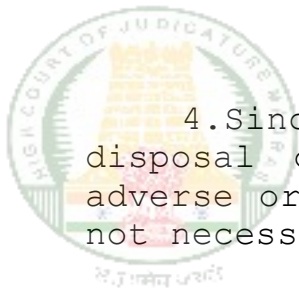
For Petitioners : Mr.J.Gunaseelan Muthiah

ORDER

This civil revision petition has been filed to direct the District Munsif Court, Ambasamuthiram to dispose of the suit in O.S.No.280 of 2018 within a time frame.

2.The learned counsel for the petitioners submitted that the respondent herein is the plaintiff in the suit in O.S.No.280 of 2018. The said suit was filed for specific performance and permanent injunction restraining the defendants 2 to 5 from interfering in the peaceful possession and enjoyment of the suit property. After commencement of the trial, the first defendant was died and therefore, steps were taken for amendment. After carrying out the amendment, the matter has been adjourned and the above said suit is pending till date, without any progress. Hence, the petitioners have approached this Court by filing this Civil Revision Petition seeking a relief to dispose the suit in O.S.No.280 of 2018 on the file of the District Munsif Court, Ambasamuthiram, within a stipulated time as fixed by this Court.

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 petition in O.S.No.280 of 2018 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, Ambasamuthiram to dispose the suit in O.S.No.280 of 2018 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 petitioners and the respondent 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 ()

// 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 District Munsif, Ambasamuthiram.

Copy to

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

+1 CC to Mr.J.GUNASEELAN MUTHIAH, Advocate (SR-5423[F] dated 16/02/2021)

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KM (05.03.2021) 2P 4C