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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Monday, the Ninth day of October Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRP(MD). No.404 of 2021

Anjali ... Petitioner/1st Defendant

Vs

1 Sentheeban ... 1st Respondent/Plaintiff

2 Muthiah

3 Ravikannan

4 Balakrishnan

5 Rajkumar

6 Subramani Asari ... Respondents 2 to 6/Defendants 2 to 6

Prayer :-

This Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned District Munsif cum Judicial Magistrate Court, Athoor, Dindigul District to complete the trial and dispose of the case in O.S. No.49 of 2019 pending on his file as expeditiously as possible within the time stipulation as prescribed by this Court.

ORDER:-

This Civil Revision Petition coming on for orders on this day and upon perusing the earlier order of this Court dated 08.03.2021, 04.04.2022 and 16.11.2022 and the requisition and explanation letters dated 31.08.2023 and 29.09.2023 in D.Nos. 1637/2023 and 1829/2023 respectively submitted by the District Munsif cum Judicial Magistrate, Athoor, Dindigul District, seeking further six months time to

<https://www.mhc.tn.gov.in/judis>



dispose of the case in O.S. No.49 of 2019, this Court made the following order:

This matter is listed today under the caption for 'extension of time'.

2. When the matter was taken up for hearing on 14.09.2023, the learned predecessor Judge, considering the fact that the learned District Munsif cum Judicial Magistrate, Athoor, Dindigul District, has been requesting extension of time to dispose of the suit again and again, directed the Registry to call for explanation as to why the suit was not disposed, despite the time was extended by this Court.

3. In pursuance of the direction of this Court, the learned District Munsif cum Judicial Magistrate, Athoor, Dindigul District, has submitted explanation, dated 29.09.2023, stating that he joined in the Court on 06.05.2022 and the suit stand posted for the defendant side evidence and that he could not dispose of the suit, due to interlocutory application filed by the both parties.

4. As already pointed out, the concerned Officer has joined duty as early as on 06.05.2022 and thereafter only six months further time was granted by this Court vide order, dated 16.11.2022 and even thereafter, the Officer has not chosen to complete the trial within the time stipulated.

5. The explanation given by the Judicial Officer is not satisfactory. However, this Court is inclined to give one more extension and the trial Court is directed to



complete the trial and dispose of the case within a period two months from today, as finally.

Sd/-
Assistant Registrar(AD-II)

// True Copy //

/10/2023
Sub Assistant Registrar(CS)

To

1. The Principal District Judge, Dindigul.
2. The District Munsif cum Judicial Magistrate,
Athoor, Dindigul District.

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 09/10/2023

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Extension of time
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CRP(MD). No.404 of 2021
Giving direction and etc.
as stated within.

KB(09.10.2023) 3P 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.