



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2021

CORAM

THE HON'BLE MR.JUSTICE J.NISHA BANU

C.R.P. (MD) No.412 of 2021

WEB COPY

N.Kumaran Sethupathy

... Petitioner/Defendant

-Vs-

The Deity Arulmigu Thirumeninathaswamy
Thiruchuzhi

Ramanathapuram Samasthanam

Devasthanam, through its Hereditary Trustee

Smt.R.B.K.Rajeshwari

...Respondent/Plaintiff

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to issue a direction to dispose of O.S.No.39 of 2015 pending on the file of VI Additional District Court, Madurai within the time as stipulated by this Court.

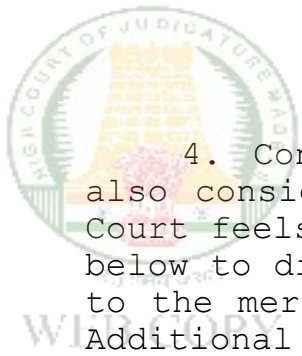
For Petitioner : Mr.N.Ilango

O R D E R

This Civil Revision Petition has been filed to issue a direction to dispose of O.S.No.39 of 2015 pending on the file of VI Additional District Court, Madurai within the time as stipulated by this Court.

2.The learned counsel for the petitioner would submit that the respondent as plaintiff filed the suit in O.S.No.39 of 2015 before the VI Additional District Court, Madurai, against the revision petitioner for declaration and consequential injunction restraining the revision petitioner/defendant not to interfere with her peaceful possession and enjoyment of the suit property and also for permanent injunction against the petitioner not to alienate and encumber the suit schedule property. In the above said suit, the petitioner/defendant filed written statement on 07.03.2016 itself. The grievance of the petitioner is that the said suit is pending for more than five years without even commencement of the trial. Taking advantage of the interim order passed by the trial Court, the respondent/plaintiff is dragging on the case for so many years and the trial Court adjourning the case periodically without insisting the respondent/plaintiff to commence the trial. Hence, the petitioner has come forward with this Civil Revision Petition seeking early disposal of the suit in O.S.No.39 of 2015.

3. Since this Civil Revision Petition is filed for early disposal of the Suit, no adverse order is going to be passed, notice to the respondent is dispensed with.



4. Considering the facts and circumstances of the case and also considering the fact that the suit is of the year 2015, this Court feels that ends of justice would be met by directing the Court below to dispose of the suit within a time frame. Without advertent to the merits of the case, a direction is issued to the learned VI Additional District Judge, Madurai to dispose the suit in O.S.No.39 of 2015 on merits and in accordance with law, within a period of six months from the date of receipt of a copy of this order.

5. With the above direction, this Civil Revision Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

msa

To
The VI Additional District Judge
Madurai

+1 CC to M/s.N.ILANGO, Advocate (SR-9659[F] dated 09/03/2021)

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09.03.2021

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KG (CO)

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