



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.04.2021

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WEB COPY

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

C.R.P (MD) .No.717 of 2021

Anitha : Petitioner / 2nd defendant

Vs

1.Rengaraj : 1st Respondent/Plaintiff
2.Chellasamy : 2nd Respondent / 1st Defendant

PRAYER:- Civil Revision Petition filed under Article 227 of the Constitution of India to direct the learned III Additional District Judge, Tiruchirappalli, to dispose expeditiously dispose of E.P.No. 319 of 2019 against the counter claim in O.S.No. 44 of 2018, on the file of the III Additional District Court, Thiruchirappalli.

For petitioner : Mr. M. Karunanithi

ORDER

This revision has been filed seeking a direction to dispose of the E.P.No. 319 of 2019 against the counter claim in O.S.No. 44 of 2018, on the file of the III Additional District Court, Thiruchirappalli, within a specified time fixed by this Court.

2. The case of the revision petitioner / first defendant is that the first respondent / plaintiff has filed a suit in O.S.No.44 of 2018 on the file of III Additional District Court, Thiruchirappalli for permanent injunction, that the petitioner has filed the counter-claim in the suit claiming the reliefs of recovery of possession, arrears of rent and damages, that the suit was dismissed and the counter claim was partly decreed, that he has filed an appeal in A.S.No.141 of 2019 and the same was dismissed for default on 15.03.2021, that the Execution Petition in E.P.No. 319 of 2019 is pending without any progress and that the first respondent / plaintiff has been dragging the proceedings wantonly and deliberately.



3. The main contention of the revision petitioner is that the the second defendant is a Senior Citizen and that therefore, this case has to be expedited. The High Court has already issued Circulars to the District Judiciary directing the Courts to give priority for the cases relating to the Senior Citizens, HIV affected persons, Defence personnel, women and children etc., The revision petitioner without approaching the trial Court has directly approached this Court. In the absence of total pending particulars and the work burden of that particular Court, this Court is not inclined to give any direction to dispose of the case within the specified period of time.

4. However, the trial Court is required to give priority to the cases, as per the Circulars of the High Court. The learned Judge is directed to consider the request of the revision petitioner, on the ground of Senior Citizenship, for early enquiry.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

trp

To

The III Additional District Judge, Tiruchirappalli.

Copy to

The Section Officer, VR Section-2 copies

Madurai Bench of Madras High Court, Madurai.

+1 CC to Mr.M.KARUNANITHI, Advocate (SR-17464[F] dated 26/04/2021)

C.R.P(MD) .No.717 of 2021
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