



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2021

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (MD) No.926 of 2020

and

CMP(MD) .No.6043 of 2020

E.Velmurugan

... Petitioner/Petitioner/Petitioner
/3rd party

-Vs-

1. K.Uthiram Pillai

... 1st Respondent/1st Respondent/
Petitioner/Petitioner

Parvathavarthini (Died)

2. Venkateswaran.

...Respondents 2 & 3/
Respondents 2 & 3/
Respondents 1 & 2/
Respondents 1 & 2

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned District Munsif, Palani to dispose of the petition in E.A.No.5 of 2020 in E.A.No.2 of 2020 in E.P.No.13 of 2019 in R.C.O.P.No.8 of 2000 on the file of the District Munsif Court, Palani, at the first instance before effecting delivery in E.P.No.13 of 2018 on the file of District Munsif Court, Palani and allow the Civil Revision Petition.

For Petitioner : Mr.M.Ajmal Khan, Senior Counsel
For Respondents : Mr.M.P.Senthil for R1,
No Appearance for R2

O R D E R

This Civil Revision Petition has been filed seeking a direction to the learned District Munsif cum Judicial Magistrate, Palani, to dispose of the petition in E.A.No.5 of 2020 in E.A.No.2 of 2020 in E.P.No.13 of 2019 in R.C.O.P.No.8 of 2000 on the file of the District Munsif Court, Palani, at the first instance before effecting delivery in E.P.No.13 of 2018 on the file of District Munsif Court, Palani.

2. Today, when the matter is taken up for hearing, the learned Counsel for the petitioner as well as the learned Counsel for the respondents in order to give a quietus to the long pending litigation, would submit that, it would suffice if a direction is given to the learned District Munsif, Palani, to dispose of E.A.No.2 of 2020 in E.P.No.13 of 2019 in R.C.O.P.No.8 of 2000, on the file of the District Munsif Court, Palani, within a period of three weeks, before passing the final orders in E.P.No.13 of 2018, after affording an opportunity to both the parties.



3. Heard the learned Counsel for the parties.

4. Considering the limited nature of the relief sought for by both the parties, without going into the merits of the case, this Court directs the learned District Munsif, Palani, to dispose of E.A.No.2 of 2020 in E.P.No.13 of 2019 in R.C.O.P.No.8 of 2000, on the file of the District Munsif Court, Palani, on its own merits and in accordance with law, before effecting delivery in E.P.No.13 of 2018, within a period of four weeks from the date of receipt of a copy of this order, after affording an opportunity to both the parties. It is needless to say that both the parties should cooperate in the disposal of the above application in E.A.No.2 of 2020 in E.P.No.13 of 2019.

5. With the above direction, this Civil Revision Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pkn

To

1. The District Munsif Court,
Palani.

2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court, Madurai. (2 Copies)

Copy to:

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

+1 CC to M/s.M.P.SENTHIL, Advocate (SR-2530[F] dated 01/02/2021)

C.R.P. (MD) No.926 of 2020

01.02.2021

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mj (CO)

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