



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:02.11.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (MD)No.1692 of 2021

WEB COPY

1.K.Dharmalingam

2.V.Ponraj

3.M.Raj

4.M.Govindharaj

5.K.Sakkarai

... Petitioners/Petitioners/Defendants

Vs.

Arulmigu-Shri Irangi Muthu Amman Kovil,
Thoppalakkarai Village Thirukovil,
Treasurer K.Solaiappan

... Respondent/Respondent/Plaintiff

PRAYER: Petition filed under Section 227 of Constitution of India, to direct the Principal District Munsif, Aruppukkottai to dispose of the proceedings in I.A.No.1 of 2019 in O.S.No.113 of 2018 expeditiously within the stipulated time that may be fixed by this Court.

For Petitioner : Mr.D.Sivaraman

ORDER

Heard the learned counsel appearing for the petitioners.

2. Considering the nature of relief to be granted, notice to the respondent is dispensed with.

3.The revision petitioners are the defendants in O.S.No.113 of 2018 on the file of the Principal District Munsif Court, Aruppukkottai. The revision petitioners filed I.A.No.1 of 2019 for rejection of the plaint. The grievance of the revision petitioners is that till date, the said I.A. has not been disposed of.

4.The learned counsel for the petitioners fairly brings it to the notice of this Court that the respondent thereafter filed I.A. for withdrawal of the suit with liberty to file a fresh suit on the same cause of action. The said I.A stands dismissed. Questioning the same, the petitioners have moved this Court by filing revision



petition and the revision petition is said to be pending. Be that as it may, the defendants have filed I.A.No.1 of 2019 under Order VII Rule 11 of C.P.C. It is the duty of the Court to dispose of the said I.A on merits and in accordance with law. There is no justification in keeping the said I.A for more than two years. Therefore, the trial Court is directed to dispose of I.A.No.1 of 2019 on merits and in accordance with law within a period of two months from the date of receipt of a copy of this order. I make it clear that no opinion has been expressed on the merits of the matter. The only direction given in this petition is for speedy disposal. This Civil Revision Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmi

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 Principal District Munsif,
Aruppukkottai.

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-33574[F] dated 02/11/2021)

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PS (CO)

RS/PM (19.11.2021) 2P 3C