



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2021

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (PD) (MD)No.1165 of 2020

1.Muthulakshmi
2.E.Nilavan
3.E.Selvan

... Petitioners/Petitioners/
Plaintiffs

Vs.

1.R.Pandiyan
2.P.Vimala Pandiyan

... Respondents/Respondents/
Defendants

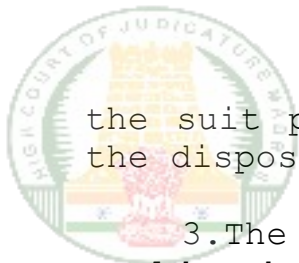
Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned Principal District Munsif Court, Trichirappalli to dispose the I.A.No.482 of 2018 in O.S.No.1018 of 2018 on the file of the learned Principal District Munsif Court, Trichirappalli as expeditiously within time frame stipulated by this Court.

For Petitioner : Mr.A.Joel Paul Antony

ORDER

This civil revision petition has been filed to direct the learned Principal District Munsif Court, Trichirappalli to dispose the I.A.No.482 of 2018 in O.S.No.1018 of 2018 on the file of the learned Principal District Munsif Court, Trichirappalli, within a time frame.

2.The petitioners herein filed a suit in O.S.No.1018 of 2018 before the Principal District Munsif Court, Trichirappalli for permanent injunction restraining the defendants from interfering with the peaceful possession and enjoyment of the plaintiffs in respect of the suit property. During pendency of the above said suit, the petitioners/plaintiffs filed an interlocutory application in I.A.No.482 of 2018 in O.S.No.1018 of 2018 before the Principal District Munsif Court, Trichirappalli for interim injunction restraining the defendants from interfering with the peaceful possession and enjoyment of the plaintiffs in respect of



the suit property and also for an ex-parte ad-interim order till the disposal of the petition.

3.The learned counsel appearing for the petitioners/plaintiffs would submit that the above said application filed in the year 2018, however, counter affidavit filed only in the year 2019 and thereafter, it has been adjourned on various dates and the same is still pending, without any progress. Hence, this petition.

4.Heard the learned counsel for the petitioners/plaintiffs. Since the relief sought for in this petition is very limited and it would not cause any prejudice to the respondents, this Court is of the view that notice need not be sent to the respondents.

5.The suit has been filed in the year 2018, which has been filed for permanent injunction restraining the defendants from interfering with the peaceful possession and enjoyment of the plaintiffs in respect of the suit property. Now the petitioner has come forward with the present application to dispose of the I.A.No.482 of 2018 within a time frame, considering that the suit has been filed in the year 2018. Ends of justice would be met, if a direction is given to Principal District Munsif, Trichirappalli, to dispose of the suit itself on merits and in accordance with law within time frame. Accordingly, the learned Principal District Munsif, Trichirappalli, is directed to dispose of the suit in O.S.No.1018 of 2018 within a period of six months from the date of receipt of a copy of this order.

6.With the above direction, this civil revision petition is disposed of. No costs.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gns

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.

<https://hcservices.ecourts.gov.in/hcservices/>



To
The Principal District Munsif,
Trichirappalli.

Copy to
The Registrar Judicial,
Madurai Bench of Madras High Court,
Madurai

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05.01.2021

KM (11.02.2021) 3P 3C