



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2021

CORAM:

THE HONOURABLE **MR. JUSTICE A.D. JAGADISH CHANDIRA**

CRP. (MD)No.1609 of 2021

WEB COPY

Pechiammal

... Petitioner/1st Respondent/Plaintiff

Vs.

1.E.Veerabagu

... 1st Respondent/Appellant/1st Defendant

2.Esakimuthu Konar

3.T.Abdul Aziz

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

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, for a direction to dispose of A.S.No.113 of 2017 pending on the file of the Sub-Court, Valliyur, Tirunelveli District within the stipulated time as fixed by this Court.

For Petitioner : Mr.S.Sarvaga Prabhu

ORDER

This civil revision petition has been filed to direct the Sub Court, Valliyur, Tirunelveli District to dispose of A.S.No.113 of 2017, within a stipulated time.

2.The learned counsel appearing for the petitioner would submit that the petitioner is the plaintiff in O.S.No.323 of 2015, on the file of the Principal District Muncif Court, Valliyoor seeking for declaration and injunction. The said suit was decreed in favour of the petitioner. Against the same, the respondents herein had filed an appeal before the Sub-Court, Valliyur, Tirunelveli District. The appeal was taken on file on 14.12.2017 and the records were received by the appellate Court on 02.11.2019. Despite receipt of the records, the appellants are not proceeding with the appeal and they are dragging the case to defeat the interest of the petitioner herein. Therefore, the present petition has been filed by the petitioner seeking direction to the appellate Court to dispose of the appeal in A.S.No.113 of 2017 as expeditiously as possible.

3.Heard the learned counsel appearing for the petitioner and perused the materials on record.

4.Taking into consideration the submission of the learned



counsel for the petitioner and the pendency of the appeal from the year 2017 for the past four years without any progress, a direction is issued to the Sub-Court, Valliyur, Tirunelveli District to dispose of the appeal in A.S.No.113 of 2017 as expeditiously as possible, preferably, within a period of six months from the date of receipt of a copy of this order. Accordingly, this civil revision petition is allowed. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gns

To

The Sub Judge, Valliyur,
Tirunelveli District.

Copy to

The Principal District Munsif,
Valliyur, Tirunelveli District.

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