



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2021

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

C.R.P (PD) (MD) No.1785 of 2021

1.P.Muthu
2.M.Palaniammal
3.P.Ramasamy

... Petitioners

Vs.

1.Dharamprabothana Trust
Represented by its Trustee,
Thiru M.Ramakrishnan

2.Sri Sankara Vidyalaya Matriculatin High School
Represented by its Correspondent
Having Office at
plot No.10, Ananthagiri
Kodaikanal Town
Kodaikanal Taluk
Dindigul District.

... Respondents

PRAYER:- Civil Revision Petition filed under Article 227 of Constitution of India, to direct the learned District Munsif cum Judicial Magistrate Court, Kodaikanal to dispose of the suit in O.S.No.14 of 2011 within a time that may be stipulated by this Court.

For Petitioner : Mr.S.Vinayak

ORDER

This civil revision petition is filed seeking early disposal of the suit in O.S.No.14 of 2011 on the file of the learned District Munsif cum Judicial Magistrate, Kodaikanal.

2.The B-diary extracts filed in support of the civil revision petition would show that the evidence of P.W.1 had opened as early as on 09.02.2018 and thereafter, the matter was being adjourned for his cross-examination and on several occasions, the cross-examination has not been proceeded with only on account of the fact that the defendants and their counsel were not present. It is also seen that the defendants have been set *ex parte* on 15.03.2018. Thereafter, they have taken out an application in I.A.No.207 of 2019 to set aside the *ex parte* order which was set aside by order dated



01.02.2020. Even thereafter no further progress in the examination of witnesses, has taken place. The suit is of the year 2011.

3.In the above circumstances, a direction is given to the learned District Munsif Cum Judicial Magistrate, Kodaikanal, to dispose of the suit in O.S.No.14 of 2011 within a period of two months from the date of receipt of a copy of this order, since the matter is now posted for the cross-examination of P.W.1. Accordingly, this Civil Revision Petition is allowed. No costs.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

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 District Munsif cum Judicial Magistrate,
Kodaikanal.

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dj(CO)
TR(08.12.2021) 2P 2C