



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.09.2021

CORAM

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

C.R.P (PD) (MD) No. 2211 of 2014

and MP(MD) No.1 of 2014

WEB COPY

1. Muthusamy Udaiyar
2. Chinnadurai

... Petitioners/Petitioners/Proposed 2nd and
3rd defendants

Vs.

Duraivel ... Respondent/ Respondent/Plaintiff

PRAYER : Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the fair and decreetal order passed in I.A.No.1237 of 2013 in O.S.No.246 of 2013 dated 17.03.2014 on the file of the learned District Munsif, Pudukottai.

For Petitioners : Mr.K.K.Ramakrishnan
For Respondent : Mr.Ramachandran

O R D E R

This Civil Revision Petition has been filed to set aside the order passed in I.A.No.1237 of 2013 dismissing the petition filed under Order 1 Rule 10(2) seeking to implead the petitioners as proposed respondents 2 and 3 in O.S.No.246 of 2013.

2. When the matter is taken up for hearing the learned counsel for the respondent would submit that he has no objection in the revision being allowed and he would submit that necessary memo to that effect has also been filed before this Court. The learned counsel would only insist that a suitable direction may be issued to the Trial Court to expedite the trial and dispose of the suit within a time frame fixed by this Court.

3. The learned counsel would further submit that as on date the suit in O.S. No. 246/13 on the file of the District Munsif Pudukottai has been transferred to the file of the learned District Munsif cum Judicial Magistrate, Kandarakottai and re-numbered as O.S.No. 41 of 2019. He would also submit that the post of District Munsif cum Judicial Magistrate, Kandarakottai is vacant.

4. In view of the fair submission made by the learned counsel for the respondent, the revision stands allowed. The petitioners are directed to be impleaded as second and third defendants in O.S.No.41 of 2019 on the file of the learned District Munsif cum Judicial



Magistrate, Kandarakottai. The Trial Court is directed to dispose of the suit within a period of six months from the date of assuming charge by the presiding officer. No costs. Consequently connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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

1. The District Munsif Pudukottai
2. The District Munsif cum Judicial Magistrate, Kandarakottai

Copy to:

The Section Officer, V.R. Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.K.K.RAMAKRISHNAN, Advocate (SR-30634[F] dated 29/09/2021)

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MGJ(25.10.2021) 2P 6C