



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.12.2021**

CORAM :

THE HONOURABLE MS.JUSTICE **P.T.ASHA**

C.R.P. (MD) Nos.1931 and 1932 of 2021

Ranganathan Desikachari

... Petitioner/Petitioner/Plaintiff
in Both C.R.Ps.,

vs.

Pream Bright

... Respondent/Respondent/Defendant
in both C.R.Ps.,

COMMON PRAYER:- These Petitions are filed under Section 227 of the Constitution of India, to direct the learned District Munsif cum Judicial Magistrate, Kodaikanal to dispose of the I.A.Nos.43 and 44 of 2020 in O.S.No.15 of 2020 as expeditiously as possible.

For Petitioner : Mr.C.Gangai Amaran

COMMON ORDER

The above Civil Revision Petitions are filed seeking speedy disposal of the applications in I.A.Nos.43 and 44 of 2020 in O.S.No.15 of 2020 on the file of the learned District Munsif cum Judicial Magistrate, Kodaikanal.

2.I.A.No.43 of 2020 is filed for an injunction restraining the defendant from putting up any construction on the common pathway. I.A.No.44 of 2020 is filed for mandatory injunction directing the defendant to remove the wall put up by him and for directing the defendant not to cause any obstruction for the plaintiff and his employees and to allow free ingress and egress to the property through the common road. Apart from the above two applications, there is also another application in I.A.No.45 of 2020, which is filed for appointing an Advocate Commissioner.

3.The 'B' diary extract filed by the petitioner would show that the matter was posted for the respondent's enquiry on 02.06.2021. From the said date, the enquiry has not progressed. This Court had sought for a report from the learned District Munsif cum Judicial Magistrate, Kodaikanal as to the stage of the above interlocutory applications and a communication dated 09.12.2021 has been received, wherein, it is stated that the above interlocutory applications are posted to 15.12.2021.

4.In these circumstances, the learned District Munsif cum Judicial Magistrate, Kodaikanal, is directed to dispose of I.A.Nos.43 and 44 of 2020 within a period of 15 days from the date of next hearing. In case, the respondent seeks further time, he can



be put up on terms. The report about the disposal of the above interlocutory applications shall be sent to this Court.

5. In fine, these Civil Revision Petitions stand allowed. No costs.

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Sd/-

Assistant Registrar (A.D I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

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To

The District Munsif cum Judicial Magistrate,
Kodaikanal.

Copy to:

1. The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.

2. The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court,
Madurai.

+2 CC to M/s.C.GANGAI AMARAN, Advocate (SR-38045[F] dated
09/12/2021)

C.R.P. (MD) Nos.1931 and 1932 of 2021
09.12.2021

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