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CRP.No.529 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2023

CORAM:

THE HONOURABLE MRS.JUSTICE **T.V.THAMILSELVI**

CRP.No.529 of 2022

Surutaiyan @ Vediappa Gounder (Deceased)

Periapappa @ Perumiyammal (Deceased)

1. Prakasam
2. Palanisamy
3. Rami

... Petitioners

Vs.

1. The District Collector,
Dharmapuri.
2. The District Revenue Officer,
Dharmapuri.
3. The Revenue Divisional Officer,
Harur,
Dharmapuri District.
4. The Thasildar,
Harur,
Dharmapuri District.
5. The Revenue Inspector,
Harur,
Dharmapuri District.

... Respondents



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PRAYER: Civil Revision petition is filed under Article 227 of the Constitution of India to direct the learned District Munsif at Harur to dispose of the R.E.P.No.4 of 2014 in O.S.No.351 of 2000 within a stipulated time as framed by this Court on merits in accordance with law by allowing the present Civil Revision Petition.

For Petitioners : Mr.R.Jayaprakash

For Respondents : No appearance

ORDER

This petition has been filed seeking direction to dispose R.E.P.No.4 of 2014 in O.S.No.351 of 2000 along with R.E.A.No.12 of 2017 and R.E.A.No.46 of 2021, which were filed by the respondents/defendants.

2. On perusal of the case revealed that the execution petition in R.E.P.No.4 of 2014 stayed from 2017 onwards and the petitions filed by the parties in R.E.A.No.12 of 2017 and R.E.A.No.46 of 2021, are disposed on 09.12.2022 & 11.11.2022 respectively. Thereafter, the petitioner/degree holder filed petitions in R.E.A.No.26 of 2022, R.E.A.No.20 of 2022 and R.E.P.No.01 of 2023 and the same are pending without any progress.

3. In fact, the defendants herein are the government officials represented through their Government Pleader. But on perusal of case records



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revealed that the Government Pleader, who are appearing in this case, are not assisted Court and they are not filed proper objections before the trial proceedings. Further the suit property is related to the government property. But on seeing the conduct of the government officials, they are not interested in proceed with the case. From 2014 onwards, the application filed by the plaintiffs is pending without any progress.

4. Therefore, the trial Judge is directed to dispose all the applications in R.E.P.No.4 of 2014 in O.S.No.351 of 2000, after affording opportunity to both parties, as expeditiously as possible. Further more, the Government Pleader, Harur, is also directed to co-operate with Court below by giving necessary instructions. In fact, the claim made by the plaintiffs in the suit pertaining to the land belongs to the Government and he filed execution application contra to the claim made in the suit. Necessary instructions are given to the trial Judge as well as the Government Pleader to dispose the matter by applying principles of law.

28.03.2023

Index :Yes/No

Internet : Yes/No

Speaking order/non-speaking order

rts



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To

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Dharmapuri District.
5. The Thasildar,
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Dharmapuri District.
6. The Revenue Inspector,
Harur,
Dharmapuri District.
7. The Government Pleader,
Harur.



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T.V.THAMILSELVI, J.

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