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C.R.P(PD).No.615 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2022

CORAM:

THE HON'BLE Mr. JUSTICE N.SESHASAYEE

C.R.P(PD).No.615 of 2022

M/s.Super Excel Realty (Indian) P Ltd
Represented by its Authorised Signatory
Mr.S.Karthikeyan
D.No.21,Pollachi Road,
Palladam - 641 664.

... Petitioner/ Plaintiff

Versus

P.T.Rajendran
S/o.G.Thimmaiya Gounder

... Respondent / Defendant

PRAYER: The Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the District Munsif Court Mettupalayam for expeditious time bound disposal of I.A.No. 2 of 2019 in O.S.No. 235 of 2019 pending on the file of the District Munsif Court Mettupalayam.

For Petitioner : Mr.A.Thiyagarajan



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ORDER

The present Civil Revision Petition is laid by the plaintiff in O.S.No.235 of 2019 pending on the file of the learned Principal District Munsif Court, Mettupalayam for a speedy disposal of I.A.No. 2 of 2019 in O.S.No. 235 of 2019.

2.The suit was laid in the year 2019 and this Court is informed even the written statement is not yet filed by the defendant. In the meantime, he has also taken out an application in I.A.No.2 of 2019 for an order of Interim Injunction. The present petition is filed for an expeditious disposal of the petition.

3.Heard the learned counsel for the petitioner.

4.The trial Court is now required to dispose of the application in I.A.No.2 of 2019 in O.S. No.235 of 2019 on or before 30.04.2022. The trial Court is also required to keep a track on time taken by the defendant in filing



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the written statement. Even though the time stipulated under Order VIII Rule 1 and 2 of CPC is glare, it does not imply the Court should be partly generous in extending its indulgence to the defendant for filing written statement. The trial Court must be reminded that ultimately the Court only has to be accounted for the pendency and delay and there is no obligation either on the parties or on the counsel to account for them.

5. With the above direction, this Civil Revision Petition stands disposed of accordingly. No costs.

07.03.2022

Index : Yes/No
Speaking Order/Non Speaking Order
msv/dk

Note: Issue order copy on 08.03.2022.

To

The District Munsif Court

Mettupalayam



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N.SESHASAYEE, J.,

msv/dk

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