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C.R.P(PD).No.1425 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2022

CORAM :

THE HONOURABLE MS. JUSTICE R.N.MANJULA

C.R.P.(PD).No.1425 of 2022

S.Arjunan

... Petitioner

..Vs..

1.The Tamil Nadu State Election Commission,
Rep by its State Election Commissioner,
208/2, Jawaharlal Nehru Road,
(Opp to Koyambedu Bus Terminal)
Arumbakkam, Chennai 600 106.

2.The District Collector,
Villupuram District,
Villupuram.

3.The Returning Officer,
Marakanam Panchayat Union,
Karakanam, Villupuram District.

4.The Block Development Officer,
Marakanam Panchayat Union,
Marakanam, Villupuram District.

5.R.Dayalan

... Respondents

Prayer:- Civil Revision Petition is filed under Article 227 of Constitution of India, for directions to dispose of the Election O.P in E.O.P.No.170 of



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2021 on the file of the Principal District Court, Villupuram at an early date.

For Petitioner : Mr.AL.Gandhimathi

For Respondents : Mr.E.Vijayanand for R2 to R4
Additional Government Pleader

ORDER

This Civil Revision Petition has been preferred seeking direction for early disposal of the proceedings in E.O.P.No.170 of 2021 pending on the file of the learned Principal District Judge, Villupuram.

2.The learned counsel for the petitioner submitted that despite there is a time limit of six months to dispose these kind of petition, the proceedings are pending on the file of the learned Principal District Judge, Villupuram without any progress. He further submitted that notice for the 5th respondent has already been served and the 'D' diary of the Court also would show the same; despite the completion of the service of notice for the 5th respondent, the Court has once again ordered notice and that has caused further delay in the matter.



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3. From the status report of the learned Principal District Judge, Villupuram dated 16.05.2022, it is seen that the matter was adjourned to 08.07.2022 for filing counter of respondents 1 to 4 and fresh notice was ordered for the 5th respondent. When the remarks from the learned Principal District Judge, Villupuram were called, in view of completion of service of notice to the 5th respondent even before 08.07.2022, it is submitted that due to the High Court notification in R.O.C.No.23991-C/2020/C3 dated 02.01.2022, there was restriction to enter the Court and physical hearing was suspended and hence, adverse orders were passed against the 5th respondent despite notice was served on him; taking into consideration of the abnormal situation, once again notice for the 5th respondent was ordered.

4. It is to be noted that despite physical hearings were suspended, the virtual hearing was done during the relevant time. After getting notice, the party concerned could have appeared through his counsel, through virtual hearing. He failed to do so. Even in the proceedings of the learned



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Principal District Judge, Villupuram, nothing was mentioned about the necessity for issuing fresh notice to the 5th respondent, despite notice has been served on him already. In the matters which have to be disposed in a time bound manner, the trial Court should be sensitive enough to avoid unnecessary delay. Now it is reliably learnt from the learned counsel for the petitioner that all the respondents had sought time for filing counter. In that case, it is incumbent upon the learned trial Judge to expedite the hearings and dispose of the case as expeditiously as possible.

5. Accordingly, this Civil Revision Petition is disposed of. The learned Principal District Judge, Villupuram is directed to dispose of the proceedings in E.O.P.No.170 of 2021 as expeditiously as possible. No costs. Consequently, connected Miscellaneous Petition is closed.

12.07.2022

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Index: Yes No

Speaking Order: Yes/No



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To

- 1.The Principal District Judge,
Villupuram.
- 2.The Section Officer,
VR Section, Madras High Court,
Chennai.



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R.N.MANJULA,J.

Vkr

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