



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2022

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

C.R.P. (PD) No.2184 of 2022

1.D.Nandini
2.D.Sampath

...

Petitioners /
Plaintiffs

versus

Ramakutty Gounder (died)
1.R.Ganesha Moorthy
2.R.Dharamalingam
3.R.Shanmuga Vadivel

...

Respondents /
Defendants 2 to 4

PRAYER: Civil Revision Petition has been filed under Article 227 of the Constitution of India, to direct the learned I Additional Subordinate Judge, Coimbatore, to expedite the hearing and dispose of I.A.No.198 of 2017 in O.S.No.72 of 2013, within a time limit as stipulated by this Court.

For Petitioners

: Ms.Sneha
for M/s.Sarvabhauman Associates



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ORDER

This Civil Revision Petition has been filed seeking for a direction to the learned I Additional Subordinate Judge, Coimbatore, for the speedy disposal of the Interlocutory Application in I.A.No.198 of 2017 in O.S.No.72 of 2013.

2. The revision petitioners are the petitioners in the said petition and they are plaintiffs in the suit. The suit filed by the plaintiffs was dismissed for default on 10.01.2017.

3. The learned counsel for the petitioners submitted that the petition to restore the suit was filed within time as early as in the year 2017 itself but the petition is still pending without disposal and hence, a direction should be given for disposing the petition within a fixed time frame.

4. On perusal of the adjudication, it is seen that the notice sent to the respondents has been served long back. The matter stands posted to several hearings without any progress. Of course due to Covid-19 pandemic and incidental lock down, the cases cannot be progressed in a



timely manner. Since the case is pending for nearly 5 years, it will be appreciable, if the learned trial Judge bestows her best attention to dispose the petition as expeditiously as possible.

5. Accordingly, this Civil Revision Petition is allowed and the learned I Additional Subordinate Judge, Coimbatore, is directed to dispose of the Interlocutory Application in I.A.No.198 of 2017 in O.S.No.72 of 2013 preferably within a period of one month from the date of receipt of a copy of this order. No costs.

18.07.2022

Speaking order / Non-speaking order

Index : Yes / No

Internet : Yes

sri

To

The I Additional Subordinate Judge, Coimbatore.



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R.N.MANJULA, J.

sri

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