



C.R.P.(PD)No.2702 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2022

CORAM :

THE HONOURABLE MS. JUSTICE R.N.MANJULA

C.R.P.(PD)No.2702 of 2022

Malayalasamy Madam
Represented by its present Madathipathy
Sri Velayutham Swamigal
Represented by his Power Agent
A.Nithiyanandam,
Son of Arunachala Nainar,
Kalasapakkam Village, Polur Taluk,
Tiruvannamalai.

... Petitioner

..Vs..

- 1.S.Pachiyappan
- 2.Thilakavathy Ammal
- 3.The District Collector,
Vengikal,
Tiruvannamalai District.
- 4.The Tahsildar,
Taluk Office,
Polur.
- 5.The Superintending Engineer,
TNEB, Vengikkal,
Tiruvannamalai.



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6.The Junior Engineer,
TNEB, Kalasapakkam,
Polur Taluk.

7.The President,
Panchayat Board,
Kalasapakkam Village,
Polur Taluk.

... Respondents

Prayer :- Civil Revision Petitions filed under Article 227 of the Constitution of India, to direct the District Munsif-cum-Judicial Magistrate, Kalasapakkam, Tiruvannamalai to dispose O.S.No.275 of 2019 originally it has been numbered in O.S.No.304 of 2005 on the file of the District Munsif, Polur within a stipulated time frame as fixed by this Court.

For Petitioner : Mr.B.S.Mitraneshaa
for Mr.V.Raghavachari

ORDER

This Civil Revision Petition has been preferred seeking a direction for speedy disposal of O.S.No.275 of 2019 pending before the learned District Munsif-cum-Judicial Magistrate, Kalasapakkam, Tiruvannamalai.



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2. Heard the learned counsel for the petitioner and perused the materials available on record.

3. The revision petitioner is the plaintiff, who has filed a suit in O.S.No.304 of 2005 originally before the District Munsif, Polur. Subsequently, the said suit got transferred twice on the point of jurisdiction and now, it is pending before the District Munsif-cum-Judicial Magistrate, Kalasapakkam, Tiruvannamalai and re-numbered as O.S.No.275 of 2019.

4. The learned counsel for the revision petitioner/plaintiff submitted that the suit has been filed for the reliefs of declaration, recovery of possession and permanent injunction; despite the suit has been filed in the year 2005, the same is still pending without any disposal; and the learned trial Court have lavishly granted time for filing written statement; hence, a direction should be given for speedy disposal.

5. On perusal of a copy of 'B' diary extract of the case adjudication would show that the suit is pending as on 04.03.2019 for carrying out

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certain amendments and for filing amended copy of the plaint.

6. The learned counsel for the revision petitioner submitted that the petitioner has taken steps for the deceased first defendant and impleaded his legal representatives and the amendment has already been carried out.

7. However, it is reliably learnt that the suit is still pending in the stage of receiving additional written statement. The suit which is of the year 2005 is still pending on the file of the District Munsif-cum-Judicial Magistrate Court, Kalasapakkam, Tiruvannamalai.

8. In view of the long pendency of the suit, the learned trial Judge should bestow his best attention and see that only shorter adjournments are given. If any interlocutory applications are pending, the learned trial Judge shall dispose the same within a period of one week.

9. In the result, this Civil Revision Petition is disposed of and the



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learned District Munsif-cum-Judicial Magistrate, Kalasapakkam, Tiruvannamalai is directed to dispose the suit as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order and also directed to dispose the interlocutory applications, if any, within a period of one week from the date of receipt of a copy of this order. There shall be no order as to costs.

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Index:Yes No
Speaking Order:Yes/No
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To

- 1.The District Munsif-cum-Judicial Magistrate,
Kalasapakkam, Tiruvannamalai.
- 2.The District Collector,
Vengikal,
Tiruvannamalai District.
- 3.The Tahsildar,
Taluk Office,
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- 4.The Superintending Engineer,
TNEB, Vengikkal,
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- 5.The Junior Engineer,
TNEB, Kalasapakkam,
Polur Taluk.
- 6.The President,
Panchayat Board,
Kalasapakkam Village,
Polur Taluk.
- 7.The Section Officer,
V.R.Section,
High Court, Madras.

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R.N.MANJULA, J.

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