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C.R.P.(PD).No.3091 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.09.2022

CORAM:

THE HONOURABLE MR. JUSTICE S. SOUNTHAR

C.R.P.(PD).No.3091 of 2022

1.Anthony
2.Mathew @ Premkumar
3.Prabhu

... Petitioners

Vs

1.C.K.Gopal
2.S.Stalin
3.D.Anbazhagan

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of Indian Constitution, praying to direct the District Munsif Cum Judicial Magistrate, Madhavaram, Thiruvallur District to dispose of the I.A.No.2 of 2022 in O.S.No.44 of 2022 within a time frame.

For Petitioners : Mr.C.D.Sugumar

ORDER

The Civil Revision Petition is filed seeking a direction to District Munsif Cum Judicial Magistrate Court, Madhavaram, Thiruvallur District to dispose of the I.A.No.2 of 2022 in O.S.No.44 of 2022.



C.R.P.(PD).No.3091 of 2022

WEB COPY

2.The respondents herein filed a suit seeking a declaration that the election conducted by the defendants therein for Madhavaram Grama Munnetra Sangam dated 26.06.2022 is null and void and also for consequential injunction. Pending the suit, the respondent filed an I.A.No.2 of 2022, seeking an injunction, restraining the respondents therein from conducting the election for Madhavaram Grama Munnetra Sangam on 10.07.2022 within due process of law. The petitioners herein entered appearance, filed counter as early as on 15.07.2022. The grievance of the petitioners is that inspite of filing of counter in I.A.No.2 of 2022, the matter is kept pending without any substantial progress.

3.Having regard to the limited prayer made in this petition, this Court is inclined to dispose of the Revision without giving notice to the respondents. The perusal of the docket entry filed in the typed set of papers would suggest that the Revision Petitioners filed their counter in I.A.No.2 of 2022 as early as on 15.07.2022 and thereafter, there is no substantial progress.

4.Taking into consideration, the facts and circumstances, this Court is



C.R.P.(PD).No.3091 of 2022

inclined to issue a direction to the Court below to dispose of the I.A.No.2 of 2022 in O.A.No.44 of 2022, within a period of six weeks, from the date of receipt of copy of this order.

5. Accordingly, this Civil Revision Petition is disposed of. However, there shall be no order as to costs.

28.09.2022

Index: Yes/no
Speaking/non-speaking
gba

To
District Munsif Cum Judicial Magistrate,
Madhavaram, Thiruvallur District.



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C.R.P.(PD).No.3091 of 2022

S. SOUNTHAR,J.

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C.R.P.(PD).No.3091 of 2022



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C.R.P.(PD).No.3091 of 2022

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