



C.R.P.Nos.3885 to 3887 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

C.R.P.Nos.3885 to 3887 of 2022

1.Vasanthi

2.B.Balakrishnan

... Petitioners in all the C.R.Ps

Vs.

P.Mahalingam

... Respondent in all the C.R.Ps

PRAYER in C.R.P.Nos.3885 to 3887 of 2022: Civil Revision Petitions are filed under Article 227 of Constitution of India, pleaded to direct the learned II Additional District Judge, Salem to dispose of the suit in O.S.No.70 of 2018, O.S.No.240 of 2021 and O.S.No.513 of 2022 within the time fixed by this Court.

For Petitioner : M/s.L.Mouli (in all C.R.Ps)

COMMON ORDER

These Civil Revision Petitions are filed seeking a direction to the II Additional District Judge, Salem to dispose of the suits in O.S.No.240 of 2021 and O.S.No.70 of 2018 and O.S.No.513 of 2022 within the time fixed by this Court.



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2. Having regard to the limited prayer made in this revision, this Court is inclined to dispose of the same even without notice to the respondent.

3. The petitioner in C.R.P.No.3886 of 2022 is the plaintiff in O.S.No.70 of 2018. He filed a suit for cancellation of two sale agreements dated 29.07.2016, allegedly entered by him with the respondent. The petitioners are defendants in O.S.No.240 of 2021 and O.S.No.513 of 2022 which have been filed by the respondent seeking specific performance of the two sale agreements dated 29.07.2016.

4. Since, the issues involved in these suits are one and the same, the Principal District Judge, Salem by order dated 29.11.2021 in Tr.O.P.No.5 of 2020 ordered joint trial in O.S.No.246 of 2019 and O.S.No.70 of 2018. After transfer of the O.S.No.246 of 2019 pending on the file of Sub Court, Omalur to the file of II Additional District Court, Salem was re-numbered as O.S.No.513 of 2022. Similarly, the Principal District Judge, Salem, by order dated 05.04.2021 in Tr.O.P.No.6 of 2020 ordered transfer of O.S.No.245 of 2019 pending on the file of the Sub Court, Omalur to the file of the II Additional District Court, Salem, for



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joint trial along with O.S.No.70 of 2018. After transfer O.S.No.245 of 2019 was re-numbered as O.S.No.240 of 2021 on the file of the II Additional District Judge, Salem. Therefore, all these three suits are consolidated for joint trial as per the order passed by the Principal District Judge, Salem.

5. A perusal of the E.Court entry filed in the typed set of papers would suggest that all the three suits are ready for trial and in fact in O.S.No.70 of 2018, P.W.1 was examined in chief even before the transfer order and the same is posted for cross examination of P.W.1. In view of the fact that suits are ready for trial, this Court is inclined to issue a direction to the Court below to dispose of the suits in O.S.No.70 of 2018, O.S.No.240 of 2021 and O.S.No.513 of 2022 within a period of nine (9) months from the date of receipt of copy of this order. Accordingly, this Civil Revision Petitions are disposed of. No costs.

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29.11.2022

Index: Yes/ No
Speaking Order / Non-Speaking Order
jai



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S.SOUNTHAR, J.

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To

The II Additional District Judge,
Salem.

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