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C.R.P.No.3832 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:22.11.2022

CORAM:

THE HONOURABLE Mr. JUSTICE S.SOUNTHAR

C.R.P.No.3832 of 2022

K.Shanmugavel Mudaliar

...Petitioner

Versus

1. The State of Tamil Nadu
Rep. by Secretary to Government,
Tamil Development & Religious
Endowment Information Department,
Fort St. George, Chennai - 600 009.

2. The Commissioner,
Hindu Religious & Charitable
Endowments Department,
Uthamar Gandhi Salai,
Nungambakkam, Chennai - 600 034.

3. The Joint Commissioner,
Hindu Religious & Charitable Endowments
Department, Administration Department,
Kanchipuram,
Kanchipuram District - 631 501.

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, pleaded to issue a direction to retain the suit in O.S.No.118 of 2009 on the file of Additional District Munsif, Alandur and for an early disposal of the same in compliance of the orders of the Hon'ble Supreme Court in C.A.No.6237 of 2019.



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For Petitioner : Mr.T.Saikrishnan

For Respondents : Dr.S.Suriya
Additional Government Pleader

O R D E R

The Civil Revision Petition is filed seeking a direction to the Additional District Munsif, Alandur to dispose the suit in O.S.No.118 of 2009 as per the order passed by the Hon'ble Supreme Court in Civil Appeal No.6237 of 2019.

2. Dr.S.Suriya, the learned Additional Government Pleader takes notice for the respondents.

3. The Hon'ble Supreme Court in Civil Appeal No.6237 of 2019 by order dated 09.08.2019, directed the Court below to dispose of the suit within a period of six months. Thereafter, the time limit was extended by the Hon'ble Supreme Court on two occasions. Finally, by order dated 22.07.2022, the Hon'ble Supreme Court had granted six months time to the Trial Court to dispose of the suit.



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4. It is brought to the notice of this Court by the learned counsel for the petitioner, now, the District Munsif Court at Alandur, is bifurcated and new District Munsif Court is established at Pallavaram and the subject matter of the present suit is situated within the geographical limit of newly established Court at Pallavaram. Therefore, necessarily the present suit pending before the Additional District Munsif, Alandur has to be transferred to the District Munsif Cum Judicial Magistrate Court, Pallavaram.

5. The learned counsel for the petitioner submitted that the transfer procedure will take lot of time and therefore, the time limit fixed by the Hon'ble Supreme Court may not be adhered to by the transferee Court. It is always open to the revision petitioner to bring it to the notice of the transferee Court the outer time limit fixed by the Hon'ble Supreme Court on 22.07.2022 and seek early disposal of the case.

6. The Additional District Munsif, Alandur, is directed to send the case records in O.S.No.118 of 2009 to the District Munsif Cum Judicial Magistrate Court, Pallavaram immediately to enable the transferee Court to get along with the suit and comply with the Hon'ble Supreme Court's direction.



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of. No costs.

22.11.2022

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Index: Yes/ No

Speaking Order / Non-Speaking Order

Note: Issue order copy on 25.11.2022

To

1. The Additional District Munsif, Alandur.
2. The District Munsif Cum Judicial Magistrate Court,
Pallavaram.
3. The Secretary,
Tamil Development & Religious
Endowment Information Department,
Fort St. George, Chennai - 600 009.
4. The Commissioner,
Hindu Religious & Charitable
Endowments Department,
Uthamar Gandhi Salai,
Nungambakkam, Chennai - 600 034.
5. The Joint Commissioner,
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Department, Administration Department,
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S.SOUNTHAR, J.

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