



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2022

CORAM :

THE HONOURABLE MS.JUSTICE P.T.ASHA

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C.R.P. (MD) No.149 of 2022

1.A.Muthusamy

2.M.Kandasamy

... Petitioners/Plaintiffs

vs.

M.Chitradevi

... Respondent/Defendant

PRAYER:- This Petition is filed under Article 227 of the Constitution of India, to direct the Court below to dispose the suit in O.S.No.234 of 2020 on the file of the learned Principal District Judge, Karur within the time fixed by this Court.

For Petitioners : Mr.R.Devaraj

ORDER

The above Civil Revision Petition has been filed invoking the jurisdiction of this Court under Article 227 of the Constitution of India for an early disposal of the suit O.S.No.234 of 2020 pending on the file of the learned Principal District Judge, Karur.

2.In the typed set of papers, the petitioners have enclosed an order dated 05.04.2021 passed in I.A.No.1 of 2021 in O.S.No.234 of 2020, where the following order was passed, when allowing the petition.

"i) The petitioner/defendant shall execute and register mortgage discharge receipt on or before 21.04.2021.

ii) The petitioner shall give her no objection for returning the title document filed by the petitioner in O.S.No.234 of 2020 on the file of this Court.

On fulfilling the above condition the sum of Rs.13,20,500/- lying in the deposit of this Court shall be transferred to the bank account of the petitioner through RTGS of NEFT transfer."

3.The petition was filed to transfer a sum of Rs.13,20,500/- deposited by the plaintiff towards discharge of the mortgaged debt. The petitioners had filed receipts stating that they are ready to receive the said amount towards full satisfaction of the mortgaged debt. However, it appears that though an order had been passed on 05.04.2021, thereafter the suit is being adjourned simply under the head for reporting compliance from 12.07.2021 onwards. The learned District Judge, Karur is therefore directed to dispose of the suit O.S.No.234 of 2020 on or before 28.02.2022.



4.In the result, the Civil Revision Petition stands allowed. No costs.

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// True Copy //

Sd/-

Assistant Registrar (CS-II)

/ /2022

Sub Assistant Registrar(CS)

mm

To

The Principal District Judge,
Karur.

+1 CC to M/s.R.DEVARAJ, Advocate (SR-3611[F] dated 02/02/2022)

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01.02.2022

ck (CO)

GC (25.02.2022) 2P 3C