



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.02.2022

CORAM :

THE HONOURABLE MRS.JUSTICE S.ANANTHI

C.R.P. (MD)No.301 of 2022

1.G.Chandrasekaran
2.G.Hari

...Petitioners/Petitioners/
Plaintiffs

Vs.

N.Sivakumar

...Respondent/Respondent/
Defendant

PRAYER: Civil Revision Petition under Article 227 of the Constitution of India, to direct the I Additional District Munsif, Nagercoil, Kanyakumari District, to dispose of E.P.No.2 of 2018 in O.S.No.8 of 2011, within a stipulated time as may be prescribed by this Court.

For Petitioner :M/s.Xavier Rajini

ORDER

This Civil Revision Petition has been filed seeking direction to the learned I Additional District Munsif, Nagercoil, Kanyakumari District, to dispose of E.P.No.2 of 2018 in O.S.No.8 of 2011, within a stipulated time that may be fixed by this Court.

2.The parties are referred to as per the rank mentioned before the Court below.

3.The plaintiffs have filed a suit in O.S.No.8 of 2011 on the file of the learned I Additional District Munsif, Nagercoil, for permanent injunction restraining the defendant for dumping of stones and sands over the plaint 'B' schedule property in order raise the level and Mandatory injunction directing the defendant to remove the stones and sands from the southern most portion of the plaint 'B' schedule property. The aforesaid suit in O.S.No.8 of 2011 was partly decreed on 16.12.2013. By strength of the decree, the plaintiffs have filed a petition in E.P.No.2 of 2018 in O.S.No.8 of 2011.



4.Heard on the side of the learned counsel appearing for the petitioner and perused the material documents available on record.

5.The learned counsel appearing for the petitioners would submit that the petition in E.P.No.2 of 2018 in O.S.No.8 of 2011 is pending from the year 2018. Hence, he seeks speedy disposal.

6.Considering the submission of the learned counsel appearing for the petitioner and also considering the fact that the matter is pending from the year 2018 and the suit is of the year 2011, the learned I Additional District Munsif, Nagercoil, Kanyakumari District, is directed to dispose the E.P.No.2 of 2018 in O.S.No.8 of 2011, within a period of two months from the date of receipt of a copy of the order.

7.With the above observations, the Civil Revision Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ksa

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To
The I Additional District Munsif,
Nagercoil,
Kanyakumari District.

+1 CC to M/s.S.XAVIER RAJINI, Advocate (SR-7890[F] dated 22/02/2022)

C.R.P. (MD)No.301 of 2022

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