



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Civil Appellate Jurisdiction

Friday, the Fourteenth day of July Two Thousand and Twenty Three

PRESENT

CRP(MD)No.556 of 2020

The Hon`ble Mrs.Justice K.GOVINDARAJAN THILAKAVADI

A.Palanivelrajan : Appellant/Petitioner

Vs.

1.J.Suganthi
2.Madhava Chakra
3.Latchana
4.A.Ravi
5.M/s.Rathina Exports,
1-2-10, High School Road,
Pattiveeranpatti – 624 211,
Dindigul District.

6.M/s.Tamilnadu Mercantile Bank Ltd.,
Dindigul Branch,
Salai Road, Dindigul – 624 001.

7.State Bank of India,
Ayyampalayam Branch,
Ayyampalayam – 624 004.

: Respondents/Defendants

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to call for the records of the fair and decreetal order dated 06.02.2020 made in I.A.No.304 of 2019 in O.S.No.224 of 2019 on the file of the Principal District Judge,Dindigul, and set aside the same.



ORDER:- This Civil Revision Petition is coming on for orders on this day under the caption "Extension of time for Lower Court" and upon perusing earlier orders of this Court dated 28.06.2022 and 29.03.2023 and the requisition letter submitted by Principal District Judge, Dindigul in D.No.5620/2023, dated 27.06.2023 seeking further extension of time for disposal of the case in O.S.No.224/2019 on the file of the Principal District Court, Dindigul in the presence of Mr.T.Sivananthan, Advocate for the respondents Nos.1 to 3 and this Court made the following order:-

By an order dated 28.06.2022, this Court allowed the above Civil Revision Petition with the direction to the learned Principal District, Judge, Dindigul to dispose of O.S.No.224 of 2019 within a period of eight months from the date of receipt of a copy of the order.

2. Thereafter, the learned Principal District, Judge, Dindigul, by a letter dated 06.03.2023 bearing reference D.No.2014/2023 has requested for further two months time to dispose of the suit. By an order of this Court dated 29.03.2023, time was extended by another two months to comply with the order dated 28.06.2022.

3. Again, now, the learned Principal District, Judge, Dindigul has sent a letter dated 27.06.2023 bearing reference D.No.5620/2023 to the Registrar (Administration) of this Court seeking for extension of further time to dispose of suit. In the said letter dated 27.06.2023, the learned Principal District, Judge, Dindigul has given certain reasons for non-disposal of the suit within the time which reads as under:-



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I further humbly submit that I have assumed charge of the post of Principal District Judge, Dindigul on 11.05.2023. On perusal of the above said case records, it was posted for arguments by 03.06.2023. On 03.06.2023 there is no representation for plaintiff and on request of defendants side, the case was adjourned to 12.06.2023 for argument as last chance and this Court ordered to issue final notice to plaintiff's side Counsel. Notice sent to plaintiff's side Counsel in D.No.4782/2023 on 06.06.2023 as directed.

I further humbly submit that a re-open petition filed by the defendants side for recording the defendants side evidence, this Court allowed the petition and the case was adjourned to 15.06.2023 as last chance. On 15.06.2023, DW1 present, proof affidavit of DW1 filed and recorded and Ex.B.1 marked. On the request made by the plaintiff's side, the case was adjourned to 19.06.2023 for cross of DW1. On 19.06.2023, the Judge on casual leave, then the case was adjourned to 20.06.2023. On 20.06.2023, DW1 called absent, petition filed by the defendants



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side seeking adjournment, perused and allowed and the case was posted to 27.06.2023 for appearance of DW1 and cross. On 27.06.2023, the defendants side filed a petition u/o.7 R.14 and Sec.151 of C.P.C. to receive additional documents and that petition was allowed on the day itself and then D.W.1 is present, exhibits were marked, cross-examined in full and the defendants side evidence was closed and the case was posted for arguments by 06.07.2023.

4. Considering the reasons given by the learned Principal District, Judge, Dindigul in the above letter, the time for disposing of the suit is extended by another two months from the date of receipt of a copy of this order. It is made clear that no further extension will be granted.

Sd/-

Assistant Registrar(CO)

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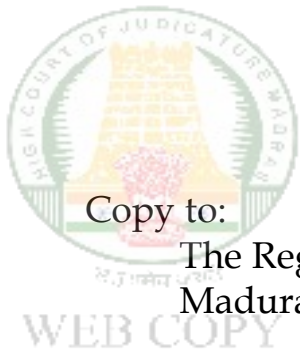
/08/2023

Sub Assistant Registrar(CS)

TO

The Principal District Judge, Dindigul

<https://www.mhc.tn.gov.in/judis>



Copy to:

The Registrar Judicial,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 14/07/2023

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ORDER

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CRP(MD)No.556 of 2020

Giving direction and etc.
as stated within.

MK/24.08.2023 5P 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023