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C.R.P (MD) No.1312 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 21.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

C.R.P (MD) No.1312 of 2022

S.Senbgavalli

... Petitioner

Vs

S.Anantharajan

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the Sub Judge, Melur to dispose of O.S.No. 31 of 2020 within a time frame fixed by this Court.

For Petitioner : Mr.S.Deenadhayalan

For Respondent : No appearance

ORDER

This petition has been filed for a direction to the Sub Judge, Melur to dispose of the suit in O.S.No. 31 of 2020 within a time frame fixed by this Court.



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2.The learned Counsel for the petitioner submits that the petitioner has filed a suit in O.S.No.31 of 2020 before the Sub Court, Melur as against the respondent for recovery of possession. The respondent has filed a suit in O.S.No.205 of 2018 as against the petitioner for permanent injunction. The petitioner has also filed a civil revision petition before this Court in CRP(MD)No.1015 of 2022 for early disposal of the suit in O.S.No.205 of 2018 on the ground that the respondents are dragging on the proceedings. However, this Court has dismissed the said civil revision petition. Further the respondent being tenant has failed to pay the rent for several years and there is huge due from them. Therefore it is the duty of the Court to expedite the trial.

3.Though the respondent is served and his name is printed there is no representation on his behalf.

4.It is seen that the respondent filed a suit in O.S.No.205 of 2018 as against the petitioner for permanent injunction and the petitioner has filed a suit in O.S.No.31 of 2020 for recovery of possession.

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The petitioner on the earlier occasion filed a petition in CRP (MD) No.1015 of 2022 for early disposal of the suit filed by the respondent. However, this Court dismissed the civil revision petition stating that the petitioner filed an application in I.A.No.2 of 2021 and without prosecuting it, she has filed the civil revision petition and also imposed a cost of Rs.5,000/-.

5.Under such circumstances, this Court does not find any reason to accede to the relief sought for by the petitioner and accordingly, this civil revision petition stands dismissed. No costs. However, it is open to the trial Court to dispose of the suit as expeditiously as possible.

21.07.2022

dsk

To

The Sub Judge,
Melur.



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B. PUGALENDHI , J.

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