



C.R.P PD(MD)No.1754 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated: 29.08.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

C.R.P(MD)No.1754 of 2022

M.Ponnuthai

... Petitioner

Vs

1.The Municipal Commissioner,
Ambasamudram Municipality,
Solaipuram,
Ambasamudram,
Tirunelveli District.

2.The District Collector,
Collector Office Campus,
Tirunelveli.

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the learned Principal District Munsif, Ambasamudram to dispose of the case in O.S.No.164 of 2021, on the file of the learned Principal District Munsif Court, Ambasamudram, within a time frame fixed by this Court.



C.R.P PD(MD) No.1754 of 2022

For Petitioner : Mr.K.Navaneetharaja
For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader

ORDER

This Civil Revision Petition is filed to direct the learned Principal District Munsif, Ambasamudram to dispose of the suit in O.S.No.164 of 2021, within the time stipulated by this Court.

2.The learned Counsel appearing for the petitioner submits that the petitioner's husband was found missing during February 2014. Despite the efforts taken by her to trace out her husband, he could not be traced out. Since the petitioner's husband not turned up for more than seven years, the petitioner approached the respondents to issue death certificate to the petitioner's husband. But, the respondents refused to issue death certificate. Under such circumstances, the petitioner filed O.S.No.164 of 2021, before the Principal District Munsif Court, Ambasamudram, for the relief of declaration declaring that the



C.R.P PD(MD) No.1754 of 2022

petitioner's husband namely, S.Murugan is a civil dead person and for consequential injunction, directing the respondents to issue death certificate to the petitioner's husband. The grievance of the petitioner is that though the defendants have filed their written statements on 05.03.2022, the suit is kept pending in the pre-trial stage itself. The learned counsel further submits that in order to settle the properties of the petitioner in favour of her children, it is necessary to dispose of the suit at the earliest. Hence, the petitioner has come up with this present Civil Revision Petition seeking for early disposal of O.S.No.164 of 2021.

3.This Court considered the submissions of the learned counsel for the petitioner and also perused the materials placed on record.

4. The petitioner, who missed her husband during the year 2014 has filed the suit in O.S.No.164 of 2021, before the Principal



C.R.P PD(MD) No.1754 of 2022

District Munsif Court, Ambasamudram, for the relief of declaration declaring that the petitioner's husband namely, S.Murugan is a civil dead person and for consequential injunction, directing the respondents to issue death certificate to the petitioner's husband. It is seen from the records that the suit is of the year 2021 and it was adjourned to 26.07.2022 for trial. The petitioner claims that in order to settle her property in favour of her children, the speedy disposal of the suit is essential.

5.Considering the limited prayer sought for by the petitioner in this Civil Revision Petition and considering the submission made by the petitioner's counsel, this Court is inclined to dispose of this Civil Revision Petition with a direction to the learned Principal District Munsif, Ambasamudram to dispose of O.S.No.164 of 2021, as expeditiously as possible.



C.R.P PD(MD) No.1754 of 2022

WEB COPY

6. With the above direction, this Civil Revision Petition is

disposed of. No costs.

29.08.2022

Index : Yes / No.

Internet : Yes / No.

vrn

To

The Principal District Munsif, Ambasamudram



WEB COPY



C.R.P PD(MD) No.1754 of 2022

B.PUGALENDHI, J.

vrn

C.R.P(MD)No.1754 of 2022

29.08.2022