



CRP(PD)(MD)No.1913 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRP(PD)(MD)No.1913 of 2022

Duraipeter @ Peter (Died)

1. P.Selvarani
2. P.Rajareegan

... Petitioners

versus

1. Kannagi
2. Xavier Paulraj
3. Jeyapushpam
4. Rosari
5. Margret Reeta
6. Vimal Kumar
7. Nalini
8. Panchavarnam
9. Chellam
10. Siluvairaj
11. Vanathi
12. Udaiyappa

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India, seeking a direction to the Principal District and Sessions Court, Sivagangai, to dispose of A.S.No.5 of 2018 pending on its file, within the time stipulated by this Court.



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For Petitioners : Mr.N.Tamilmani

For R1, R3 and R5: Mr.S.Srinivasa Raghavan

For R2, R4, R6 to

R12 : No appearance

ORDER

The petitioners have filed this Civil Revision Petition with a grievance that the appeal suit in A.S.No.5 of 2018 filed by them in the year 2018 is still pending before the Principal District and Sessions Court, Sivagangai. Therefore, they seek for a direction to the Appellate Court for early disposal of A.S.No.5 of 2018.

2. The learned counsel appearing for the respondents 1, 3 and 5 submits that against the Judgment and Decree dated 23.06.2017 passed in O.S.No.41 of 2009, the petitioners have filed the appeal suit in A.S.No.5 of 2018. On the very same Judgment and Decree dated 23.06.2017, the respondents 1, 3 and 5 have also filed another appeal with a delay of 165 days and the same is pending before the Principal District and Sessions Court, Sivagangai, in I.A.No.28 of 2018. He



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further submits that the said interlocutory application is listed along with the appeal suit, however, there is some delay in proceeding further.

3. Considering the rival submissions made and also considering the fact that appeal suit in A.S.No.5 of 2018 was filed in the year 2018, which is still pending, this Court directs the learned Principal District and Sessions Judge, Sivagangai, to dispose of both the appeal suits filed by the petitioners herein and also filed by respondents 1, 3 and 5, on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

4. With the above direction, the Civil Revision Petition is disposed of. No costs.

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Index : Yes / No.

Internet : Yes / No.

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B.PUGALENDHI, J.

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To

1. The Principal District and
Sessions Court,
Sivagangai.

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