



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Twelfth day of July Two Thousand and Twenty Three
PRESENT

The Hon`ble Mrs.Justice K.GOVINDARAJAN THILAKAVADI
CRP(MD) No.2245 to 2247 of 2022

1 SELVI HEBZHI BAI,

... PETITIONER in all CRPs

Vs

1 ESTHER VICTORIA SALOMY
REP THRO POWER AGENT AUGUSTINE
IMMANUEL

2 THE EXECUTIVE OFFICER
NAZARETH TOWN PANCHAYAT, NAZARETH,
TIRUCHENDUR TALUK, THOOTHUKUDI DISTRICT.

3 THE TASILDHAR
TIRUCHENDUR TALUK, TIRUCHENDUR, THOOTHUKUDI
DISTRICT.

4 THE STATE OF TAMILNADU
THROUGH ITS DISTRICT COLLECTOR, TUTICORIN.

5 ROSELIN MALLIKA PERSI

... RESPONDENTs in all CRPS

Common Prayer:

These Civil Revision Petition filed under Article 227 of Constitution of India,
to set aside the order and decreetal order passed in I.A.No. 13,14 &15 of 2021 in
O.S.No. 15 of 2018 on the file of the 1st Additional District Judge,
Thoothukudi dated 07-03-2022.

ORDER : This petition coming up for orders on this day, upon perusing the earlier



order of this court dated 10.11.2022 and the requisition letter of I Additional District & Sessions Judge, Thoothukudi,(FAC) vide letter in D.No.413 of 2023 dated 28/06/2023 and the court made the following order:

By an order dated 10.11.2022, this Court disposed of the above Civil Revision Petitions with the direction to the learned I Additional District Judge, Thoothukudi to dispose of O.S.No.15 of 2018 within a period of three months from the date of receipt of a copy of the order.

2. The learned I Additional District and Sessions Judge, Thoothukudi (FAC) has sent a letter dated 28.06.2023 bearing reference D.No.413/2023 to the Registrar (Judicial) of this Court requesting for extension of time to dispose of O.S.No.15 of 2018. In the said letter dated 28.06.2023, the learned I Additional District and Sessions Judge, Thoothukudi (FAC) has given certain reasons for non-disposal of the E.P. within the time which reads as under:-

.... This Court received the copy of the order on 10.01.2023. On 07.01.2023 memo by the plaintiff side with the web copy of the order in CRP(NPD)(MD)No.2245 to 2247 of 2022, dated 10.11.2022 filed and recorded. On that day, Re-open and recall PW2 petitions by the D1 side are allowed and this court ordered summons for the appearance of the witness on 27.01.2023. On 27.01.2023, the summons issued to the

PW2 could not be served as he was transferred to Kayathar S.R.O.



Again on the payment of Batta by the D1 side, on 14.02.2023 PW2 present and cross examined in full by the D1 side. On 10.03.2023 D1 side notes of Argument filed. In the mean while, I.A.18/2023 reopen petition by the plaintiff side is allowed on 26.06.2023 and case is adjourned to 28.06.2023 for the appearance of the plaintiff and the for the examinations.

I humbly submit that I am holding the Full Additional Charge of the post of I Additional District Judge, Tuticorin from 22.05.2022 to till date. I had also affected with illness and my health condition is not stable. I most humbly submit that, because of the above reasons, the case is not able to be disposed by this court within the stipulated time.

3. Considering the reasons given by the learned I Additional District and Sessions Judge, Thoothukudi (FAC) in the above letter, the time for disposing of O.S.No.15 of 2018 is extended by another two months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/07/2023

Sub Assistant Registrar(CS)



The I Additional District and sessions Judge(FAC), Thoothukudi.

Copy to

1.The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court,
Madurai.,

2. The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.

ORDER DATED: 12/07/2023

ORDER

CRP(MD).NO.2245 to 2247 OF 2021
Giving direction and etc,
as stated within

KB(31.07.2023) 4P 4C