



CRP(PD)(MD)No.2202 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRP(PD)(MD)No.2202 of 2022

Kalingaraj

... Petitioner

versus

1. Lakshmi @ Muthulakshmi
2. Soosainathan
3. Palaniammal
4. Paramasivam
5. Kalavathi

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India, seeking a direction to the District Munsif cum Judicial Magistrate, Srirangam, to dispose of O.S.No.546 of 2019 pending on its file, as expeditiously as possible.

For Petitioner : Mr.AN.Ramanathan
For R1 : Mr.K.Arunraj
For R2 to R5 : No appearance



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ORDER

This Civil Revision Petition is filed by the petitioner seeking for a direction to the District Munsif cum Judicial Magistrate, Srirangam, to dispose of O.S.No.546 of 2019 pending on its file.

2. The learned counsel appearing for the petitioner submits that the petitioner herein is the first defendant in O.S.No.546 of 2019. Initially, the first respondent/plaintiff filed a suit in O.S.No.225 of 2018 before the Principal District Munsif Court, Tiruchirappalli for permanent injunction against the petitioner herein and the respondents 2 to 5 herein, which was subsequently transferred to the District Munsif cum Judicial Magistrate Court, Srirangam and renumbered as O.S.No. 546 of 2019. The petitioner/first defendant has also filed his written statement in the said suit. Now, it is the grievance of the petitioner that the suit is of the year 2018 and the first respondent/plaintiff, after getting an order of interim injunction, is dragging on the matter without any reason. Therefore, he seeks for a direction to the trial Court for



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early disposal of the suit in O.S.No.546 of 2019.

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3. The learned counsel appearing for the first respondent/plaintiff submits that the 4th defendant in the suit died and steps are yet to be taken. He further submits that the petitioner/first defendant has filed an interlocutory application to scrap the Advocate Commissioner's report and that is also pending and issues are yet to be framed.

4. This Court considered the rival submissions made and perused the materials available on record.

5. It appears that in the said suit, one of the defendants died and steps are yet to be taken. The petitioner/first defendant has also filed an interlocutory application to scrap the Advocate Commissioner's report in I.A.No.1 of 2021, which is also pending. It further appears that the suit is filed only for bare injunction and issues are yet to be framed.



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6. Considering that the suit is of the year 2018, the learned District Munsif cum Judicial Magistrate, Srirangam, is directed to conclude the trial and dispose of the suit in O.S.No.546 of 2019, within a period of ten months from the date of receipt of a copy of this order. The plaintiff and the defendants shall co-operate with the trial Court for speedy trial.

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

21.11.2022

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Index : Yes / No.

Internet : Yes / No.

To

1. The District Munsif cum Judicial
Magistrate,
Srirangam.



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B.PUGALENDHI, J.

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