



C.R.P. No. 725 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2023

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

C.R.P.No. 725 of 2023
and
C.M.P.No. 5627 of 2023

1. G. Lakshmi Narayana,
S/o. G.Narasimhan
2. R.Ramadevi,
W/o. G. Lakshmi Narayana

... Petitioners

Vs

1. M/s.Olympic Warehouse Pvt. Ltd.,
rep. by is Managing Director
Mr.S.Sakthivel
2. Mr.S.Sakthivel,
S/o. Sivanandham
Managing Director,
M/s. Olympic Warehouse Pvt. Ltd.

... Respondents



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PRAYER : Civil Revision Petition filed under Art. 227 of Constitution of India, praying to direct the Hon'ble Principal District Court, Thiruvallur for speedy disposal of the suit in C.O.S.No.448 of 2021 on merits and in accordance with law within a time limit to be stipulated by this Hon'ble Court.

For Petitioner : Mr.P.Mohanraj

ORDER

The Revision Petitioners are the plaintiffs in a Commercial Suit in C.O.S.No.448 of 2021 on the file of Principal District Court, Thiruvallur.

2. Since a direction for speedy disposal was sought against the trial court, notices for the respondents are dispensed with .

3. The plaintiffs have filed a suit against the defendants, who are their tenants and they have committed default in payment of admitted rent for the period of 3 years. Hence, he has approached the Principal District Court,



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Thiruvallur and filed a commercial suit claiming the relief of direction directing the defendants to vacate the premises and to pay the arrears of admitted rent, since the tenants are running a warehouse for commercial purpose. After the issuance of summons, the defendants filed an application to reject the plaint under Order 7 Rule 11 of C.P.C., but the same is also pending without any progress. Hence, the present Civil Revision Petition has been filed seeking for speedy disposal.

4. As per Sec.3 of the Commercial Courts Act, 2015, the time limit for the completion of trial and to dispose the commercial suit is for the period of six months. But, on perusal of case papers, it reveals that the case was filed in the year of 2020, but all these years, the case was adjourned and the application in I.A.No.2 of 2022 was also adjourned for enquiry, which was filed by the respondents for rejection of plaint. The very object of the Act is to dispose the case as expeditiously possible within six months, but the same was not completed in this case. Hence, the reasons assigned by the Revision Petitioners is justifiable one. Therefore, this Court is inclined to direct the trial court to dispose the commercial suit in C.O.S.No. 448 of



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2021 along with the application filed in I.A.No.2 of 2022 within a period of three months from the date of receipt of copy of this order. Accordingly, this Civil Revision Petition is disposed of. No costs. Consequently, the connected Civil Miscellaneous Petition is closed.

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Index : Yes/No
Internet: Yes/No
Speaking/Non Speaking order
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To

Principal District Judge,
Thiruvallur.



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T.V.THAMILSELVI, J.

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