



C.R.P.(NPD).No.1244 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.09.2023

C O R A M

**THE HONOURABLE MRS.JUSTICE BHAVANI
SUBBAROYAN**

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Pushpa (died)

1.Suguna

2.V.Tamilarasan

3.V.Tamilmaran

4.V.Tamilarasi

... Petitioners

Vs.

R.Subramanian

... Respondent

PRAYER: This Civil Revision Petition has been filed under Article 227 of Constitution of India, praying for speedy disposal of the Suit in O.S.No.110 of 2017 pending on the file of the learned District Munsif, Tambaram.

For Petitioner : Mr.S.N.Subramani

ORDER

This Revision Petition has been filed by the petitioner herein to issue direction to the District Munsif Court, Tambaram, to dispose



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the suit in O.S.No.110 of 2017 within a time frame fixed by this Court.

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2. O.S.No.110 of 2017 was filed by the respondent herein for grant of decree of permanent injunction against the petitioners herein and to pay the cost of the suit. According to the plaintiff, one V.Thilagavathi pruchased an extent of 33 cents, in S.No.22/3, at Mappedu Village, from one Sijatha Jayakumar represented by her power agent A.Selvam, under a Sale Deed dated 14.05.1997 and the said Sale Deed was registered as Document No.1686 of 1997 on the file of SRO, Pallavaram. Thereafter, C.M.Saikumar purchased an extent of 43 cents, in S.No.23/4, at Mappedu Village hamlet of Triuvanchery Village from Shaburammal, under a Sale deed, dated 03.05.1993 vide Document No.1869 of 1993 on the file of SRO, Pallavaram. One, Pranavanathan, along with his mother Thilagavathy, and C.M.Sai Kumar, appointed one V.Srinivasa Banu, under two Power Attorney deeds dated 30.01.2006 and 22.05.2006 respectively and the said Power of Attorneys were registered as Document Nos.861 and 1799 of 2006 on the file of RSO, Pallavaram. The plaintiff, as a Power Agent, Mr.V.Srinivasa Babu sold the plaint scheduled properties to the plaintiff, represented by his Power Agent under Sale Deed, dated 13.07.2006, registered as Document No.3929 of 2006 on



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the file of SRO, Pallavaram. From the date of purchase, the plaintiff is in possession and enjoyment of the suit scheduled properties.

3. While that being the case, the defendants mutated certain revenue records without any valid title and right in the name of her husband, Velayudham and attempted to dispose the suit scheduled properties belonging to the plaintiff. There was a well and pump shed meant for the usage of the villagers. Therefore, the plaintiff has filed a suit in O.S.No.110 of 2017. Pending the suit, the 1st defendant/petitioner namely Pushpa died on 02.03.2022 leaving behind the existing defendants 2 to 5/ petitioners to succeed her estate and the same is incorporated to show that the existing defendants 2 to 5/ petitioners are entitled to succeed the estate of the 1st defendant/petitioner namely Pushpa. Since, the said suit is pending from the year 2017, the petitioners has come forward with the present Revision.

4. Heard the learned counsel for the petitioners and perused the materials available on record before this Court.

5. The learned counsel for the petitioners submitted that the



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suit for permanent injunction is pending from the year 2017 without any progress and written statement was also filed on their behalf, whereas, the respondent deliberately failed to file the amended plaint for more than one year and hence, prayed for allowing the Revision Petition.

6. Considering the fact that the suit is of the year 2017, this Court is of the view that it would be appropriate to issue a direction to the District Munsif Court at Tambaram for speedy disposal of the suit. Accordingly, this Court directs the District Munsif Court at Tambaram to dispose of the O.S.No.110 of 2017 as expeditiously as possible within a period of one year from the date of receipt of a copy of this order.

7. Accordingly, this Civil Revision is disposed of. No costs.

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Index: Yes/No
Internet: Yes/No
Speaking Order/Non Speaking Order



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To

The District Munsif Court,
Tambaram.

V.BHAVANI SUBBAROYAN., J.

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