



C.R.P.No.2539 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.07.2023

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

C.R.P.No.2539 of 2023

Udhayakumar @ Chinnappa

... Petitioner

Vs.

Arumuga Gounder (Died)

1. Chinna Kulandai Ammal
2. Anandhan
3. Thanigachalam
4. Ramu
5. Ravi
6. Ramesh
7. Govindan

...Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India to allow the present Civil Revision Petition and direct the trial court for expeditious disposal of the suit in O.S.No.63 of 2011 pending on the file of the Additional District Munsif Court, Gingee.

For Petitioner : Mr. G.Sridhar

ORDER

The present Civil Revision Petition has been filed to allow the present Civil Revision Petition and direct the trial court for expeditious disposal of the suit in O.S.No.63 of 2011 pending on the file of the Additional District Munsif



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Court, Gingee.

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2. According to the petitioner, the petitioner is the 1st defendant and the respondents are the wife and sons of the plaintiff (deceased) respectively in the suit. The suit in O.S. No. 63 of 2011 is filed for permanent injunction restraining the respondents, their men or agents from causing any disturbance. Seeking for an early disposal of the said suit, the petitioner has come up with the present petition.

3. The learned counsel for the petitioner would submit that the suit is of the year 2011 and the trial court has not proceeded the matter for trial, as such, the petitioner / 1st defendant has put to great hardship.

3. The learned counsel for the petitioner also submits that this High Court has sent circular to all the Subordinate Courts directing them to dispose the suit pending for more than 5 years. The instant suit was filed in the year 2011 and it is more than 10 years old, the trial court has not even followed the circular issued by this Court. The suit is pending for trial.

4. Lastly, the learned counsel for the petitioner submits that the



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petitioner is a senior citizen and the 1st respondent is also a senior citizen and as such, expeditious trial is necessary in the present suit.

5. Heard the learned counsel for the petitioner and perused the documents placed on record.

6. On perusing the documents placed on record, it is seen that for issues, the case was adjourned in the year 2014, for the purpose of evidence, adjourned in the year 2015, again for the purpose of evidence, adjourned in the years 2016, 2017. Further, for taking steps, counter, amendment and additional written statement, the case adjourned from the year 2018 to till date.

7. Considering the fact that the suit is of the year 2011 and the petitioner, who is one of the defendant is aged about 68 years and the 1st respondent is also a senior citizen and taking note of the fact that the plaintiff in the suit died and the legal heirs were brought on record, this Court is inclined to direct the learned Additional District Munsif, Gingee to dispose of the suit in O.S.No.63 of 2011 on or before 30.03.2024.

In view of the above, the present Civil Revision Petition is disposed of.

No costs.



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Index : Yes/No

Internet : Yes/No

Speaking order / non speaking order
ssd

To

The Additional District Munsif Court,
Gingee.



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V.BHAVANI SUBBAROYAN, J.,

ssd

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