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C.R.P.No.3672 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2023

CORAM:

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

C.R.P.No.3672 of 2023

1. Anitha
2. A.Magesh ... Petitioners

-Vs-

1.Karunakaran
2.Manoharan
3.Elangovan
4.Elavarasan
5.Thamizharasi
6.Kalaiaarasi

7.The Sub-Registrar
O/o. Sub Registrar
Sembanar Kovil. ... Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to direct the disposal of the I.A. No.7 of 2023 in I.A. No.3 of 2020 in O.S. No.232 of 2020 pending on the file of the Hon'ble District Munsif Judge at Sirkazhi, within a stipulated period fixed by this Hon'ble Court.

For Petitioner : Mr.P.K.Ganesh



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ORDER

The Revision Petitioners herein are the plaintiffs and they have filed an Interlocutory Application in I.A.No. 3 of 2020 praying for the relief of temporary injunction in the suit in O.S.No.232 of 2020, but the trial judge closed the said application. To reopen the same, the plaintiffs filed an application in I.A.No.7 of 2023 and the same is pending. However, an Interlocutory Application is ought to be expected to dispose within 30 days or within 3 months, but the trial judge has not disposed the said application. Now, the suit is ripe for trial and still the said application is pending without any progress.

2. Since the relief claimed by the Revision Petitioner only seeking a direction for a speedy disposal, the notice to the respondents is dispensed with.

3. The learned counsel for Revision Petitioners would submit that in the suit property, as the defendants have attempted to encroach the same, they wanted to restrain them. Accordingly, they have filed the application in I.A.No.3 of 2020 claiming the relief of temporary injunction, but the trial judge closed the same. To reopen the same, they have filed the



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aforesaid application and the same is pending without any progress.

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4. The reasons assigned by the Revision Petitioners is justifiable one. On perusal of records, it reveals that the plaintiffs have filed the said application during March 2023 to reopen I.A.No.3 of 2020, but it was not disposed of within 30 days from the date of filing. Therefore, the learned trial judge is directed to take the Interlocutory Application in I.A.No.7 of 2023 on file and dispose the same within a period of four weeks from the date of receipt of copy of this order. Accordingly, this Civil Revision Petition is disposed of. No costs.

01.11.2023

Index : Yes/No
Speaking Order : Yes/No
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To

The District Munsif, Sirkali.



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T.V.THAMILSELVI, J.

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