



C.R.P.No.4796 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2023

CORAM:

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

C.R.P.No.4796 of 2023

C.John Davidson ... Petitioner

-Vs-

V.Hamilton ... Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to dispose the suit in O.S.No.104 of 2023 filed for declaration and consequential relief pending on the file of District Munsif cum Judicial Magistrate Court, Thiruporur within the time frame fixed by this court.

For Petitioner : Mr.T.K.S.Bharathy Anandraj



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ORDER

The Revision Petitioner herein is the plaintiff in the suit in O.S.No.104 of 2023 on the file of learned District Munsif cum Judicial Magistrate Court, Thiruporur, for the relief of declaration and permanent injunction against the defendant.

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

3. The learned counsel for Revision Petitioner would submit that originally the suit was filed in O.S.No. 52 of 2016 on the file of District Munsif cum Judicial Magistrate Court, Chengalpet and the same was transferred to the aforesaid court at Thiruporur on 23.12.2022 and renumbered as O.S.No.104 of 2023 for the relief of declaration and interim injunction, in which the defendant has also filed his written statement long back in the year of 2017. Now, the suit is ripe for trial and the same is pending for the past five years, but so far there is no progress



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in the trial. Therefore, he wanted to direct the trial court to dispose the case as early as possible.

4. Considering the facts and circumstances and also the fact that the suit is pending from the year of 2017 and the written statement was also filed by the defendant long back and now the suit is now ripened for trial, but so far, there is no progress in the trial, this Court is inclined to direct the trial judge to commence the trial and dispose the case as expeditiously as possible 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.

20.12.2023

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

The District Munsif cum Judicial Magistrate Court, Thiruporur.



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T.V.THAMILSELVI, J.

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