



C.R.P.(MD) No.144 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.07.2023

CORAM

THE HON'BLE **MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI**

C.R.P.(MD) No.144 of 2023

and

C.M.P.(MD) No.700 of 2023

R.Marikannu (Died)

1.Sundarammal

2.Rajalakshmi

3.Kamalaveni

4.Vetriselvi

5.Sornalakshmi

6.G.Kannagi

... Petitioners

Vs.

1.Jeenath Beevi

2.Mathina Begam

3.Syed Raphia

... Respondents

Prayer:- This Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the Trial Court namely District Munsif Court,



C.R.P.(MD) No.144 of 2023

Palani to give opportunity to the petitioners to file their Written Statement in the above suit in O.S.No.56 of 2011 by taking into file the adjournment petition which was returned on 09.01.2023 on the file of the District Munsif Court, Palani.

For Petitioner : Mr.M.Ponniah

For Respondents : Mr.T.Leninkumar

ORDER

This Civil Revision Petition is preferred by the proposed defendants against the order of returning the unnumbered I.A. in O.S.No.56 of 2011 dated 09.01.2023 on the file of the District Munsif Court, Palani.

2. According to the petitioners, the said I.A. was filed for receiving Additional Written statement filed by them. The Trial Court has returned the said I.A. by stating that the I.A. was filed belatedly only to drag on the proceedings. Assailing the same, the present Civil Revision Petition is preferred.

3. The learned counsel for the petitioners would now submit that the said I.A. was admitted and numbered by the Trial Court as I.A.No.3 of 2023 and therefore, nothing survives in this Civil Revision Petition for consideration.



C.R.P.(MD) No.144 of 2023

WEB COPY

4. The learned counsel for the respondents/plaintiff would submit that the petitioners/defendants are filing number of I.As. with the intention to delay the suit proceedings which is pending from the year 2011.

5. Considering the facts and circumstances of the case, the learned District Munsif, Palani is directed to dispose of the suit in O.S.No.56 of 2011, on merits, without further delay and unnecessary adjournments, by affording sufficient opportunities to the parties to put forth their contentions, within a period of 6 months from the date of receipt of a copy of this order.

6. Accordingly, this Civil Revision Petition is disposed of with the above direction. No cost. Consequently, connected Miscellaneous Petition is closed.

20.07.2023

Internet : Yes/No
NCC : Yes/No
jen

To
The Judge,
District Munsif Court, Palani.



WEB COPY



C.R.P.(MD) No.144 of 2023

K.GOVINDARAJAN THILAKAVADI, J.

jen

C.R.P.(MD) No.144 of 2023
and C.M.P.(MD) No.700 of 2023

20.07.2023