



C.R.P(MD)No.2219 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2023

CORAM

**THE HONOURABLE MRS JUSTICE K. GOVINDARAJAN
THILAKAVADI**

C.R.P(MD)No.2219 of 2023

Kamaraj

... Revision Petitioner

Vs.

1.Regina

Keshavan (died)

his legal heirs

2.Kalpana

3.Rekha

4.Valli

... Respondents

Prayer : Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the learned District Munsif Cum Judicial Magistrate, Peravurani, to dispose the case in O.S.No.115 of 2022 as expeditiously as possible, within a time frame that may be fixed by this Court.



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For Petitioner : Mr.G.Thiruvavutselvan

ORDER

The Civil Revision Petition has been filed to direct the learned District Munsif Cum Judicial Magistrate, Peravurani, to dispose the suit in O.S.No.115 of 2022 as expeditiously as possible, within a time frame that may be fixed by this Court.

2. According to the Revision Petitioner, originally the suit in O.S.No.188 of 2016 was filed before the District Munsif Court, Pattukkottai, by the petitioner and the respondents 2 to 4 as plaintiffs for the relief of declaration and permanent injunction as against the first respondent in respect of suit schedule property. Subsequently, the suit was transferred to the District Munsif Cum Judicial Magistrate, Peravurani, and the suit was renumbered as O.S.No.115 of 2022. Originally the suit was filed in the year 2016. After lapse of more than 6 years, till now the suit is pending without any progress.



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3. It is further submitted that the Revision Petitioner is the son of the fourth respondent and the fourth respondent /fifth plaintiff is a senior citizen, who is aged about 80 years old and the said plaintiff is unable to see the fruits of the decree during her life time. Hence, the petitioner was constrained to file this Civil Revision Petition, since the said Court is not inclined to dispose the matter expeditiously. Hence, the petitioner approached this Court for early disposal of the above suit in O.S.No.115 of 2022. Hence, he prays for allowing the Civil Revision Petition.

4. Considering the limited prayer sought for in the Revision, notice to other side is deemed unnecessary.

5. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

6. On perusal of records, it is seen that the suit is pending for trial from October, 2022 onwards. The trial Court has failed to



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proceed with the matter and therefore, the petitioner has approached this Court for speedy disposal of the suit.

7. Considering the facts and circumstances of the case, considering the fact that the suit is of the year 2016 and also considering the age of the fifth plaintiff, this Court directs the learned District Munsif Cum Judicial Magistrate, Peravurani, to dispose the suit in O.S.No.115 of 2022, on merits and in accordance with law, without any unnecessary adjournments, as expeditiously as possible, preferably within a period of four (04) months from the date of receipt of copy of this order.

8. With the above direction, this Civil Revision Petition is disposed of. No costs.

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Index : Yes/No
Internet : Yes/No
NCC : Yes/No

RM

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To

- 1.The District Munsif Cum Judicial Magistrate,
District Munsif Cum Judicial Magistrate Court,
Peravurani,
- 2.The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



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K.GOVINDARAJAN THILAKAVADI, J.

RM

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