



C.R.P.(MD)Nos.1371 to 1373 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2023

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

C.R.P.(MD)Nos.1371 to 1373 of 2023

C.R.P.(MD)No.1371 of 2023:-

Dr.R.Subramanian

.. Petitioner

Versus

1.S.Pandi
Ramanathan (Died)
2.Valliammai
3.R.Ramesh
4.R.Lakshmanan
5.R.Rammohan

.. Respondents

Prayer :- Petition filed under Article 227 of the Constitution of India, to issue a direction, directing the learned Principal District Judge, Sivagangai, to dispose of E.A.No.90 of 2017 in E.P.No.66 of 2015 in O.S.No.72 of 2014, within the time as fixed by this Court.

For Petitioner : Mr.N.Tamilmani

For R1 : Mr.R.Suriyanarayanan

C.R.P.(MD)No.1372 of 2023:-

Dr.R.Subramanian

.. Petitioner

Versus

1.S.Pandi
Ramanathan (Died)

<https://www.mhc.tn.gov.in/judis>



C.R.P.(MD)Nos.1371 to 1373 of 2023

2.R.Valliammai
3.R.Ramesh
4.R.Lakshmanan
5.R.Rammohan
6.P.Chitrambalam

.. Respondents

Prayer :- Petition filed under Article 227 of the Constitution of India, to issue a direction, to dispose of Tr.O.P.No.18 of 2023, pending on the file of the Principal District Court, Sivagangai, within the time as stipulated by this Court.

For Petitioner : Mr.N.Tamilmani

For R1 : Mr.R.Suriyanarayanan

C.R.P.(MD)No.1373 of 2023:-

Dr.R.Subramanian

Versus

.. Petitioner

1.P.Chitrambalam
Ramanathan (Died)
2.Valliammai
3.R.Ramesh
4.R.Lakshmanan
5.R.Rammohan

.. Respondents

Prayer :- Petition filed under Article 227 of the Constitution of India, to issue a direction, to dispose of E.A.No.2 of 2021 in E.P.No.39 of 2020 in O.S.No.83 of 2014, pending on the file of the Additional District Court, Sivagangai, within the time as stipulated by this Court.

For Petitioner : Mr.N.Tamilmani



COMMON ORDER

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Since the issues involved in the present Civil Revision Petitions are one and the same, they are heard together and disposed of by this common order.

2.C.R.P.(MD)No.1371 of 2023 has been filed to issue a direction to the learned Principal District Judge, Sivagangai, to dispose of E.A.No.90 of 2017 in E.P.No.66 of 2015 in O.S.No.72 of 2014, within a time frame.

3.C.R.P.(MD)No.1372 of 2023 has been filed to issue a direction to the learned Principal District Judge, Sivagangai, to dispose of Tr.O.P.No.18 of 2023, within a time frame.

4.C.R.P.(MD)No.1373 of 2023 has been filed to issue a direction to the learned Additional District Judge, Sivagangai, to dispose of E.A.No.2 of 2021 in E.P.No.39 of 2020 in O.S.No.83 of 2014, within a time frame.

5.It is noticed that already an order came to be passed in C.R.P.(MD)No.1416 of 2023 on 11.01.2023 at the behest of one Pandi, who is the first respondent in C.R.P.(MD)Nos.1371 and 1372 of 2023, to dispose of E.P.No.66 of 2015 in O.S.No. 72 of 2014, within a period of three months from the date of receipt of a copy of that order. In the above said E.P., the petitioner herein was not made as a party, although the parties are interested in the said E.P.



6.Considering the fact that already there is a direction by this Court to the learned Principal District Judge, Sivagangai, to dispose of E.P.No.66 of 2015 in O.S.No.72 of 2014, within a period of three months from 11.01.2023, the learned Principal District Judge, Sivagangai, is directed to dispose the said E.P. within a period of three months from the date of receipt of a copy of this order, as admittedly, no order has been passed pursuant to the order dated 11.01.2023 in C.R.P.(MD)No. 1416 of 2022.

7.Considering the fact that in C.R.P.(MD)No.1373 of 2023, the prayer of the petitioner is to dispose of E.A.No.2 of 2021 in E.P.No.39 of 2020 in O.S.No.83 of 2014, pending on the file of the Additional District Court, Sivagangai, within a time frame, the learned Additional District Judge, Sivagangai, is directed to dispose the said E.A. within a period of three months from the date of receipt of a copy of this order.

8.In C.R.P.(MD)No.1372 of 2023, the prayer of the petitioner is to dispose of Tr.O.P.No.18 of 2023, pending on the file of the Principal District Court, Sivagangai, which has been filed for a direction to the learned Additional District Judge, Sivagangai, to transfer E.P.No.39 of 2020 to be tried along with E.P.No.66 of 2015, pending on the file of the Principal District Court, Sivagangai.



9.Considering the fact that two cases are pending before two different Courts in respect of the same property, wherein the petitioner has filed claim petition under Order XXI Rule 58 read with Section 151 of C.P.C., there shall be a direction to the learned Additional District Judge, Sivagangai, to transfer E.P.No.39 of 2020, to the Principal District Court, Sivagangai, to be tried along with E.P.No.66 of 2015. The learned Principal District Judge, Sivagangai, shall dispose both E.P.No.66 of 2015 and E.P.No.39 of 2020, as expeditiously as possible, preferably, within a period of three months from the date of receipt of a copy of this order along with E.A.No.2 of 2021 in E.P.No.39 of 2020 in O.S.No.83 of 2014 filed by the petitioner under Order XXI Rule 58 read with Section 151 of C.P.C.

10.The Civil Revision Petitions stand disposed of with the above directions.

No costs.

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
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19.06.2023

To

- 1.The Principal District Judge,
Sivagangai.
- 2.The Additional District Judge,
Sivagangai.



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C.R.P.(MD)Nos.1371 to 1373 of 2023

C.SARAVANAN, J.

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Common Order made in
C.R.P.(MD)Nos.1371 to 1373 of 2023

19.06.2023