



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.06.2023**

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THE HON'BLE MR.JUSTICE C.SARAVANAN

C.R.P(MD)No.1531 of 2023

and

C.M.P.(MD)No.7558 of 2023

Anitha R. Sivanandam

...Petitioner/Petitioner/Defendant No.1

Vs.

1.Kamaraj Nadar

...Respondent No.1/Respondent No.1/Plaintiff

2.Tirunelveli Dhakshina Mara Nadar Sangam,

Rep. by its Secretary,

Registration No.6 of 1948,

D.No.70, Salai Street,

Sindupundarai,

Tirunelveli District.

... Respondent No.2/Respondent No.2/Defendant No.2

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to order speedy disposal of I.A.No.15 of 2022 in O.S.No.205 of 2022 on the file of the Principal Sub Court, Tirunelveli.

For Petitioner

: Mr.Yogesh Kannadasan

ORDER

This Civil Revision Petition has been filed by the petitioner for speedy disposal of I.A.No.15 of 2022 in O.S.No.205 of 2022 on the file of the Principal Sub Court, Tirunelveli.

2.The petitioner is the first defendant in O.S.No.205 of 2022 filed by the first

<https://www.mhcoj.gov.in/judis> respondent herein. The suit has been filed by the first respondent questioning EGM



constituted by the second respondent herein, pursuant to the notice dated 12.04.2022, on 04.05.2022. In the above suit, the petitioner has filed I.A.No.15 of 2022 to reject the plaint.

3.It appears that the first respondent/plaintiff had already filed Tr.C.M.P. (MD)No.276 of 2023 for a disposal of O.S.No.205 of 2022 pending on the file of the Principal Sub Court, Tirunelveli. By an order dated 13.06.2023, the said transfer C.M.P has been disposed of, by directing transfer of O.S.No.342 of 2021 pending on the file of the I Additional Sub Court, Tirunelveli to the file of the Principal Sub Court, Tirunelveli for simultaneous disposal along with O.S.No.205 of 2022.

4.There is no merits in the present Civil Revision Petition, as already there is a direction of the Hon'ble Division Bench of this Court in W.A.(MD)No.1448 of 2022 filed by the second respondent/second defendant herein to dispose of O.S.No. 205 of 2022 and O.S.No.342 of 2021 pending before the Court.

5.Relevant portion of the order reads as under:-

“28.In view of the above said facts, we are inclined to pass the following orders:

(i)The petitioner sangam and the rival group are entitled to raise all their pleas before the civil Court in O.S.No.342 of 2021 and O.S.No.205 of 2022 pending on the file of the Subordinate Court, Tirunelveli.



dispose of the said suits on merits and in accordance with law as expeditiously as possible not later than 31.07.2023, without being influenced by any one of the observations made by the District Registrar in his order dated 28.06.2022 or by this Court.”

6.In view of the above, the Civil Revision Petition stands dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

30.06.2023

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

To

- 1.The Principal Sub ordinate Judge, Tirunelveli.
- 2.The Section Officer
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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C.R.P(MD)No.1531



C.SARAVANAN,J.

Mrn

C.R.P(MD)No.1531 of 2023

30.06.2023