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C.R.P(MD)No.1719 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.07.2023

CORAM

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

C.R.P(MD)No.1719 of 2023

M.Ganesan

... Petitioner/Plaintiff

Vs.

1.A.Ayisha Beevi

... Respondent/Defendant

2.K.Barani

3.A.Kabar

4.A.Rashina Beevi

5.The District Collector,
Sivagangai District.

6.The Tahsildar,
Tirupathur Taluk,
Sivagangai District.

7.The Block Development Officer,
Tirupathur Union,
Sivagangai District.

8.The Secretary,
S.Velangudi Village,
Tirupathur Taluk,
Sivagangai District.

9.The Executive Engineer(TNEB)
Tirupathur Taluk,
Sivagangai District.



10.The Assistant Engineer(TNEB)
Tirupathur Taluk,
Sivagangai District.

... Defendants/Respondents

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Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the learned Additional District Munsif, Tirupathur, Sivagangai District, to complete the trial and dispose of the case in O.S.No. 80 of 2017 pending on his file as expeditiously as possible within the time stipulation as prescribed by this Court.

For Petitioners :Mr.S.Balaji

ORDER

The Civil Revision Petition is filed by the petitioner/plaintiff for a direction to the Additional District Munsif Judge, Tirupathur, Sivagangai District, to expedite the trial in O.S.No.80 of 2017 within the time stipulated by this Court.

2.According to the revision petitioner, he is the absolute owner of the suit schedule property and from the date of purchasing, he is in possession and enjoyment of the said land. While so, the respondents 1 to 4 have illegally encroached the petitioner's property and hence, he filed a suit in O.S.No.80 of 2017 before the District Munsif Court, Tirupathur, Sivagangai District, for declaration of title in the suit property.



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

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4.Since no adverse order is going to be passed as against the respondents, notice to the respondents is dispensed with.

5.The learned counsel appearing for the petitioner submitted that the suit was filed in the year 2017 even after completion of six years, there is no progress in the matter and even after filing of written statement, trial is not yet commenced. It is submitted that the petitioner/plaintiff is a senior citizen, have to see the fruits of the decree in his life time and hence, he seeks for speedy disposal of the suit.

6.On perusal of the records, it is seen that even after framing of issues, trial is not yet commenced and therefore, this Court directs the learned Additional District District Munsif, Tirupathur, Sivagangai District, to dispose the suit in O.S.No.80 of 2017 on merits and in accordance with law, without any further delay after affording sufficient opportunities to the respective parties to put-forth their contentions, within a period of six months from the date of receipt of a copy of this order.



7.With the above direction, this Civil Revision Petition is disposed of.

No costs.

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20.07.2023

NCC:Yes/No

Index:Yes/No

Internet:Yes/No

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To

- 1.The Additional District Munsif,
Tirupathur,
Sivagangai District.
- 2.The District Collector,
Sivagangai District.
- 3.The Tahsildar,
Tirupathur Taluk,
Sivagangai District.
- 4.The Block Development Officer,
Tirupathur Union,
Sivagangai District.
- 5.The Secretary,
S.Velangkudi Village,
Tirupathur Taluk,
Sivagangai District.
- 6.The Executive Engineer(TNEB)
Tirupathur Taluk,
Sivagangai District.
- 7.The Assistant Engineer(TNEB)
Tirupathur Taluk,
Sivagangai District.
- 8.The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.



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K.GOVINDARAJAN THILAKAVADI, J.

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