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C.R.P(MD)No.2038 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2023

CORAM

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

C.R.P(MD)No.2038 of 2023

P.Devadass

... Petitioner/Petitioner/
3rd Respondent/3rd Defendant

Vs.

1.Girija @ Girikujambal

... 1st Respondent/1st Respondent
/Petitioner/Petitioner

2.V.Sekar

3.V.Kalyani

... Respondent Nos.2&3/
Respondents1&2/Defendants 1&2

Civil Revision Petition is filed under Article 227 of the Constitution of India, directing the learned Principal District Munsif Court, Kumbakonam, to dispose the case in I.A.No.370 of 2021 in I.A.No.54 of 2020 in O.S.No.37 of 2020 pending before the learned Principal District Munsif Court, Kumbakonam, within the time fixed by this Court.

For Petitioners

:Mr.C.Kayalvizhi



ORDER

This Civil Revision Petition is filed for a direction to direct the learned Principal District Munsif Court, Kumbakonam, to dispose the case in I.A.No.370 of 2021 in I.A.No.54 of 2020 in O.S.No.37 of 2020 within the time fixed by this Court.

2.According to the revision petitioner/3rd defendant, the first respondent filed a suit in O.S.No.37 of 2020 before the Principal District Munsif Court, Kumbakonam, for permanent injunction. On 11.03.2020, the trial Court has granted status quo in I.A.No.54 of 2020. Even after filing the counter, the status quo interim order petition was not at all disposed of. Hence, the petitioner filed a petition in I.A.No.370 of 2021 to vacate the interim order and this petition also not yet disposed of without any progress. Hence, the present civil revision petition is filed.

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

4.The learned counsel appearing for the petitioner submitted that the petitioner put up a construction in his property in R.S.No.56/16 and status quo order was granted for more than 1 ½ years and thereafter, he filed



vacate stay petition, which is also pending for more than one year without any reasons. If the aforesaid cases are yet to be disposed of, the petitioner will be put seriously prejudiced. Hence, he prays for speedy disposal.

5.Considering the facts and circumstances of the case, this Court directs the learned Principal District Munsif Court, Kumbakonam, to dispose the I.A.No.370 of 2021 in I.A.No.54 of 2020 in O.S.No.37 of 2020, on merits and in accordance with law, as expeditiously as possible, without any unnecessary adjournment, after affording sufficient opportunities to the parties concerned to put-forth their contentions, within a period of one month from the date of receipt of a copy of this order.

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

No costs.

21.08.2023

NCC:Yes/No

Index:Yes/No

Internet:Yes/No

To

1.The Principal District Munsif Court,
Kumbakonam.

2.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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