



C.R.P.(MD) No.1978 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.08.2023

CORAM

THE HON'BLE **MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI**

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1.Nainar Fathima

2.Mohamed Jaleel

3.Amjath Khan

4.Sarmila Banu

5.Askar Ali

6.Rabiyathulpasiriyaa

... Petitioners

Vs.

Sahul Hameed

... Respondent

Prayer:- This Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the District Munsif Court, Thiruvadanai to dispose O.S.No.47 of 2021 on the file of the said Court, within a stipulated period as may be fixed by this Court.

For Petitioners : Mr.Ganesh Prabhu



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ORDER

This Civil Revision Petition has been filed by the petitioners for speedy disposal of O.S.No.47 of 2021 on the file of the District Munsif Court, Thiruvadanai.

2. Since this Civil Revision Petition filed by the petitioners is only for speedy disposal of the suit, the notice for the respondent is not required and is therefore dispensed with.

3. According to the petitioners, the first petitioner is the mother aged about 70 years and other petitioners are her legal heirs. The suit was filed by the petitioners before the District Munsif Court, Thiruvadanai for declaration of title and delivery of possession.

4. It is submitted that the respondent/defendant is dragging on the case without filing the Written Statement. It is further submitted that I.A.No.258 of 2021 filed by the petitioners for appointment of an Advocate Commissioner to inspect the suit property and measure the same with the help of Surveyor and file a report along with sketch, is also pending without any consideration and



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the respondent/defendant has appeared twice in the Lok Adalat sitting but did not agree for an amicable settlement.

5. It is further submitted that though the petitioners are requesting the Court below on each and every hearing for disposal of the suit expeditiously due to the attitude of the respondent/defendant, the Trial Court is adjourning the case without any valid reasons and therefore the petitioners were constrained to file this Civil Revision Petition for a direction to the Trial Court to dispose the suit within a stipulated period.

6. On perusal of the records and considering the facts and circumstances of the case and the age of the first petitioner, the learned District Munsif, Thiruvadanai is directed to dispose the suit in O.S.No.47 of 2021 by giving suitable direction to the respondent/defendant to file Written Statement within a specific time and by affording sufficient opportunities to the parties to put forth their contentions, without giving any unnecessary adjournments, expeditiously, within a period of 6 months from the date of receipt of a copy of this order.



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7. Accordingly, this Civil Revision Petition is disposed of. No cost.

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Index : Yes/No
Internet : Yes/No
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To
The Judge,
District Munsif Court,
Thiruvadanai.

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