



WEB COPY

C.R.P(MD)No.2052 of 2



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.2052 of 2023

P.Merlinrex

... Petitioner/2nd Plaintiff

Vs.

1.R.Jerold

... 1st Respondent/Defendant

2.P.Sibina

... 2nd Respondent/1st Plaintiff

Civil Revision Petition is filed under Article 227 of the Constitution of India, to expedite the proceedings in O.S.No.48 of 2020 on the file of the District Munsif Court, Thiruvaiyaru, Thanjavur District, within the time frame fixed by this Court.

For Petitioners

:Mr.K.V.Rajarajan

ORDER

This Civil Revision Petition is filed for a direction to expedite the proceedings in O.S.No.48 of 2020 on the file of the District Munsif Court, Thiruvaiyaru, Thanjavur District, within the time frame fixed by this Court.



2. According to the revision petitioner/2nd plaintiff, he has filed a suit in O.S.No.48 of 2020 before the District Munsif Court, Thiruvaiyaru, Thanjavur District, for the relief of permanent injunction. The revision petitioner is the son of the first plaintiff. The father of the revision petitioner has purchased the suit property by a registered sale deed for a valuable consideration. From the date of purchasing, the petitioner's father is in possession and enjoyment of the suit property. After the demise of his father, leaving the first plaintiff his wife and the second plaintiff, revision petitioner as his legal heirs.

3. While so, the defendant, who is the son of the first plaintiff's husband's own elder brother, without having right or title over the suit property, is cultivating the nanja land on the south of the suit property in S.No.332/5, which is the common property of the first plaintiff's husband's family. While cultivating the said land, the defendant made an attempt to move the southern ridge of the suit property and also used to pick up quarrels with the plaintiffs. Therefore, the revision petitioner approached the Tahsildar, Budalure, to measure the suit property and to fix the southern boundaries of the suit property in S.No.331/3. Pursuant to which, the suit property was measured and boundaries were fixed. Thereafter, the defendant made an attempt to move the northern ridge of the suit property in S.No.



332/4. Therefore, the revision petitioner has filed the suit in O.S.No.48 of 2020 for permanent injunction. The trial Court is adjourning the suit periodically without any reason. Hence, the present civil revision petition is filed.

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

5.The learned counsel appearing for the petitioner submitted that the suit was filed in the year 2020 and even after completion of three years, there is no progress in the matter. Hence, he seeks for speedy disposal of the suit.

6.Considering the facts and circumstances of the case, this Court directs the learned District Munsif Court, Thiruvaiyaru, Thanjavur District, to dispose the suit in O.S.No.48 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 six months 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.

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NCC:Yes/No

Index:Yes/No

Internet:Yes/No

To

1.The District Munsif Court,
Thiruvaiyaru,
Thanjavur District.

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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