



C.R.P.(MD)No.2292 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.03.2023

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CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

C.R.P.(MD)No.2292 of 2022

1.D.Rajamanickam

2.D.Jeyaraj

3.D.Selvaraj

4.C.Jegatheeswaran

5.C.Ramiladevi

6.C.Usha Devi

.. Petitioners

Versus

1.Balasubramanian

2.M.Manickavasagam

3.M.Vasiki Ramanathan

4.M.Tamilarasi Swaminathan

5.M.Mahalingam

6.Andavarkulanthai

7.Andavarpillai

8.Andavarputhiram

9.Pushpalatha

10.Kamatchi

11.Muthukumar

12.Arumugam

13.Senthilnathan

14.Devarayan

15.Muthiah

.. Respondents

Prayer :- Petition filed under Article 227 of the Constitution of India, to expedite the proceedings in O.S.No.124 of 2021, on the file of the Sub Court, Sivakasi, within a stipulated time frame to be fixed by this Court.

For Petitioners : Mr.J.Gunaseelan Muthiah

For R3 to R8 : Mr.E.T.Rajendran

For R9, R11, R12 and R13 : No Appearance



ORDER

This Civil Revision Petition has been filed by the petitioners/plaintiffs, seeking for a direction to the learned Sub Judge, Sivakasi, to dispose of the suit in O.S.No.124 of 2021, within a time frame.

2. According to the petitioners/plaintiffs, they have filed the suit in O.S.No. 126 of 2021, for the relief of declaration, recovery of possession and permanent injunction. The respondents 2 to 8/defendants 2 to 8 have also filed their written statement.

3. The grievance of the petitioners/plaintiffs is that though the suit has been filed by them in the year 2021, the same is still pending for trial and therefore, they have filed this Civil Revision Petition seeking a direction for early disposal of the suit.

4. Heard the learned counsel for the petitioners and the learned counsel for the respondents 3 to 8.

5. In view of the limited relief sought for by the petitioners/plaintiffs and also no adverse order is proposed to be passed, this Court is of the view that no further notice need be sent to the remaining unserved respondents.



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6. Considering fact that the suit has been pending from 2021 onwards and also considering the submission of the learned counsel appearing for the petitioners/plaintiffs, this Court, without adverting to the merits of the case, is inclined to direct the Court below to conduct trial on day-to-day basis and dispose of the suit on merits and in accordance with law as early as possible, preferably within a period of 12 months from the date of receipt of a copy of this order. The Court below is directed to send the compliance report to the Registry of this Court. Both the parties are directed to cooperate with the Court below for early disposal of the suit.

7. Accordingly, this Civil Revision Petition is disposed of. No costs.
Consequently, connected Miscellaneous Petition is closed.

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
smn2

27.03.2023

To

The Sub Judge,
Sivakasi.



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C.SARAVANAN, J.

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Order made in
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