



C.R.P.(MD)No.2692 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.10.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.2692 of 2023

N.K.Nagarajan

... Petitioner/
Plaintiff

Vs.

1. N.K.Balasubramanian

2. N.K.Panidithurai

3. Maheswari

... Respondents/
Defendants

Prayer : This Civil Revision Petition filed under Article 227 of the Constitution of India, to dispose the O.S.No.346 of 2022 as expeditious possible i.e., within the stipulated time as may be framed by this Court, which is pending before the District Judge, Madurai.

For Petitioner : Mr.P.Andiraj

ORDER

The Civil Revision Petition has been filed seeking a direction to dispose of the suit in O.S.No.346 of 2022, pending on the file of the District Court, Madurai, within a specified time fixed by this Court.



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2. I have heard the learned counsel appearing for the revision petitioner. Since the revision petition is filed for early disposal of the case, the issuance of notice to the respondent is not necessary.

3. The revision petitioner as plaintiff has filed the suit in O.S.No. 346 of 2022, claiming relief of partition against the respondents.

4. The learned counsel appearing for the revision petitioner would submit that after the filing of the suit, the respondents had appeared before the trial Court and filed vakalat and thereafter, the case is being adjourned again and again without proper reason, that the revision petitioner is a senior citizen and that therefore, the trial has to be expedited.

5. The fact remains that the suit was filed only in the year 2022. The High Court has already issued circulars to the District Judiciary, directing the Courts to give priority for the cases relating to Senior Citizens, HIV affected persons, Defence Personnel, Women and Children, more than 5 year old cases etc., It is to be noted that the revision petitioner, without approaching the trial Court, has directly come forward



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with the present Revision Petition before this Court, seeking early disposal. In the absence of total pendency particulars and the work burden of that particular Court, this Court is not inclined to give any direction to dispose of the case within a specified period of time. Generally, the trial Court is required to give priority to the cases, as per the circulars of this Court.

6. As rightly pointed out by the learned counsel appearing for the revision petitioner, the revision petitioner is a senior citizen. In view of the above, the revision petitioner is at liberty to approach the trial Court and if such requisition for speedy disposal is made, the trial Court is required to consider the urgency for early trial, in the light of the circulars issued by this Court and on the ground of senior citizenship.

7. With the above observation and direction, the Civil Revision Petition is disposed of. No costs.

19.10.2023

NCC :yes/No
Index :yes/No
Internet:yes/No
csm



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K.MURALI SHANKAR,J.

csn

To

1. The District Court,
Madurai.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.

Order made in
C.R.P.(MD)No.2692 of 2023

Dated : 19.10.2023