



C.R.P.(MD) No.2411 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.09.2023

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

C.R.P.(MD) No.2411 of 2023

1.S.Lakshmi

2.Minor. S.Rajasekar
rep. through his natural guardian
and mother/1st petitioner

... Petitioners

Vs.

1.The State represented through its
The District Collector,
Madurai District, Madurai.

2.The Tahsildar,
Madurai East Taluk,
Madurai District.

3.K.Vaiyaburi

... Respondents

Prayer:- This Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the District Munsif Court, Melur, Madurai District to pass final order in O.S.No.193 of 2021 within a period as fixed by this Court.

For Petitioners : Mr.M.Jegadeesh Pandian



C.R.P.(MD) No.2411 of 2023

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ORDER

This Civil Revision Petition has been filed by the petitioners for speedy disposal of the suit in O.S.No.193 of 2021 pending on the file of the District Munsif Court, Melur, Madurai District.

2. Since this Civil Revision Petition filed by the petitioners is only for speedy disposal of the suit, notice for the respondents is not required and is therefore dispensed with. This case is taken up for final disposal.

3. The above suit in O.S.No.193 of 2021 was filed by the petitioners/plaintiffs under Order VII Rule 1 of the Code of Civil Procedure, 1908, before the District Munsif Court, Melur, for declaration of the petitioners/plaintiffs as legal heirs of the deceased Sekar. In the said suit, the second respondent/second defendant filed their Written Statement on 01.06.2022 which was adopted by the first respondent/first defendant.

4. The learned counsel for the petitioners/plaintiffs would submit that during the pendency of the suit, the third respondent herein who is the brother-in-law of the deceased Sekar filed I.A.No.2 of 2022 for impleading himself as



C.R.P.(MD) No.2411 of 2023

one of the defendants in the suit and even though the Trial Court has given opportunity to the third respondent to advance his arguments, the third respondent has sought adjournments on 29.09.2022, 12.10.2022, 08.11.2022, 25.11.2022, 19.01.2023, 27.02.2023, 09.03.2023, 21.03.2023, 12.04.2023, 01.06.2023, 15.06.2023 and 17.07.2023. It is submitted that due to the pendency of the I.A. filed by the third respondent, the suit is also pending for the past 11 months without any improvement and the third respondent without taking any steps to present his arguments is dragging on the proceedings in the suit.

5. It is submitted that after declaration of the petitioners as legal heirs of the deceased Sekar, they can get their statutory relief. But, the Trial Court without considering the above facts, at the instance of the third respondent, is adjourning the I.A. without any reasons, due to which, the suit is also pending. Therefore, the petitioners were constrained to approach this Court for early disposal of the suit.

6. Considering the above facts and circumstances of the case, the learned District Munsif, Melur, Madurai District is directed to expedite the trial in O.S.No.193 of 2021 and dispose the same on merits, without giving any



C.R.P.(MD) No.2411 of 2023

unnecessary adjournments, expeditiously, within a period of four weeks from the date of receipt of a copy of this order.

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

26.09.2023

Internet : Yes/No

NCC : Yes/No

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To

- 1.The District Munsif Court,
Melur, Madurai District.
- 2.The District Collector,
Madurai District, Madurai.
- 3.The Tahsildar,
Madurai East Taluk,
Madurai District.
- 4.The Section Officer,
V.R. Section,
Madurai Bench of the Madras High Court,
Madurai.



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C.R.P.(MD) No.2411 of 2023

K.GOVINDARAJAN THILAKAVADI, J.

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C.R.P.(MD) No.2411 of 2023

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