



C.R.P.(MD)No.2791 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.2791 of 2023

Xavier Suresh

... Petitioner/
1st Defendant

Vs.

1. Maria Jeyakumar

2. Irudhaya Jessi

...1&2 Respondents/
Plaintiffs

3. Jesmin

4. Thanislas

...3&4 Respondents/
Defendants 2&3

Prayer : This Civil Revision Petition filed under Article 227 of Constitution of India, to direct the learned District Munsif Court, Tiruchendur, Thoothukudi District to dispose the suit in O.S.No.170 of 2019 on the file of the learned District Munsif Court, Tiruchendur, Thoothukudi District, within a time stipulated by this Court by allowing this Civil Revision Petition.

For Petitioner : Mr.S.Mandhiralingeswaran



C.R.P.(MD)No.2791 of 2023

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ORDER

The Civil Revision Petition has been filed seeking a direction to dispose of the suit in O.S.No.170 of 2019, pending on the file of the District Munsif Court, Tiruchendur, Thoothukudi District, within a specified time fixed by this Court.

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 respondents is not necessary.

3. The respondents 1 and 2 as plaintiffs have filed the suit in O.S.No.170 of 2019, claiming reliefs of permanent injunction and to declare the sale deed dated 06.10.2010 as null and void.

4. The learned counsel appearing for the revision petitioner would submit that the revision petitioner filed a counter affidavit and the case was posted for framing of issues, that the respondents are intentionally



C.R.P.(MD)No.2791 of 2023

dragging on the proceedings, that the suit is pending for the past four years without any progress and that therefore, the trial has to be expedited.

5. The fact remains that the suit was filed in the year 2019. 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 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.

6. However, the trial Court is required to give priority to the cases, as per the Circulars of the High Court. The revision petitioner is at liberty to approach the trial Court and if such requisition for early disposal of the case is made, the learned trial Judge is required to consider the urgency for early trial, in the light of the circulars issued by this Court.



C.R.P.(MD)No.2791 of 2023

7. With the above observation and direction, the Civil Revision

Petition is disposed of. No costs.

01.11.2023

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

To

1. The District Munsif Court,
Tiruchendur, Thoothukudi District.
2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
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