



C.R.P.(MD)No.2685 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17.10.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.2685 of 2023

Samundeswari

... Petitioner/Plaintiff

Vs.

1. Geetha

... 1st Respondent/Plaintiff

2.Poomari

3.Kumaravel

4.Vinayagam

5.Vivekananthan

6.Venkatraman

7.Menaha

... Respondents 2 to 7/ Defendants

Prayer : This Civil Revision Petition filed under Article 227 of Constitution of India, to direct Sub Court, Sankarankovil to dispose of the suit in O.S.No.216 of 2020 in a speedy manner within a time frame as fixed by this Court.



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For Petitioner : Mr.K.P.Narayanakumar

ORDER

The Civil Revision Petition has been filed seeking a direction to dispose of the suit in O.S.No.216 of 2020, pending on the file of the Sub Court, Sankarankovil, 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 petitioner/ plaintiff has filed the suit in O.S.No.216 of 2020, for partition and declaration that the settlement deed No.246/2020, dated 06.02.2019 executed by the third respondent in favour of the 7th respondent is illegal and the same are not binding upon the petitioner and void *ab initio* and other consequential reliefs.

4. The learned counsel appearing for the revision petitioner would submit that though the respondents 2 to 7/defendants have already filed



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the written statement as early as on 12.11.2021 and issues were framed on 04.12.2021, the suit is being adjourned again and again and that therefore, the above said case has to be expedited.

5. The fact remains that the suit was filed only in the year 2020. 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 petitioners, without approaching the trial Court, have 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.



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

17.10.2023

NCC :yes/No
Index :yes/No
Internet:yes/No
das

To

1. The Sub Judge, Sankarankovil
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

das

Order made in
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