



C.R.P.(MD)No.2495 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.10.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.2495 of 2023

1. Easter Raja

2. Marurupa Thiraviyam

... Petitioners/
Defendants 1&2

Vs.

1. Yoshuva

... 1st Respondent/
Plaintiff

2. Thangasolomon

3. The Pulavanur Pastorate,
represented by Pastor Kings Hamilton Samuel,
Pulavanoor Village,
Tenkasi Taluk.

4. The Junior Engineer,
Tamilnadu Generation and Distribution Corporation
(TANGEDCO),
Main road, Avudaiyanoor Village,
Tenkasi Taluk.



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5. The Assistant Engineer,
Tamilnadu Generation and Distribution Corporation
(TANGEDCO),
in the office of the Junior Engineer,
Main road, Avudaiyanoor Village,
Tenkasi Taluk.

... Respondents/
Defendants 3 to 6

Prayer : This Civil Revision Petition filed under Article 227 of Constitution of India, to direct learned District Munsif Court, Tenkasi to dispose the suit in O.S.No.49 of 2023 pending on the file of the learned District Munsif Court, Tenkasi within a time frame fixed by this Court.

For Petitioners : M/s.S.Anusha

ORDER

The Civil Revision Petition has been filed seeking a direction to dispose of the suit in O.S.No.49 of 2023, pending on the file of the District Munsif Court, Tenkasi, within a specified time fixed by this Court.

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

3. The first respondent as plaintiff has filed the suit in O.S.No.49 of 2023, claiming reliefs of declaration and for injunction, restraining the



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revision petitioners and the respondents 2 to 5 from giving electricity connection through his house.

4. The learned counsel appearing for the revision petitioners would submit that with an ill motive to restrain the revision petitioners from building a house in their land, the first respondent has filed the above suit, that the revision petitioners could not complete the construction work within the time framed fixed by the Panchayat, that electricity connection is a basic necessity and that therefore, the trial has to be expedited.

5. The fact remains that the suit was filed only in the year 2023. 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.



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6. However, the trial Court is required to give priority to the cases, as per the Circulars of the High Court. The revision petitioners are 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.

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

05.10.2023

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

To

1. The District Munsif Court,
Tenkasi.
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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