



C.R.P.(MD)No.2480 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 03.10.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.2480 of 2023

Shanmugam

... Petitioner/
Plaintiff

Vs.

1. The State of Tamil Nadu
represented by District Collector,
Thanjavur District,
Thanjavur.
2. The Revenue Divisional Officer,
Pattukottai,
Thanjavur District.
3. The Tahsildar,
Peravurani Taluk,
Thanjavur District.
4. Mani
5. Ramaamirtham
6. Rani
7. Sakthivel



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8. Saroja

9. Ananthi

10. Renganayaki

11. Mayilvaganan

12. Chitra

13. Mahesh

14. Pasamalar

... Respondents/
Defendants

Prayer : This Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the Sub Court, Pattukottai, Thanjavur District to dispose the suit in O.S.No.84 of 2019 within a stipulated time as fixed by this Court.

For Petitioner : Mr.V.Illanchezian

For R1 to R3 : Mr.A.Baskaran
Additional Government Pleader

ORDER

The Civil Revision Petition has been filed seeking a direction to dispose of the suit in O.S.No.84 of 2019, pending on the file of the Sub Court, Pattukottai, Thanjavur District, within a specified time fixed by this Court.



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2. I have heard the learned counsel appearing for the revision petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3. Since the revision petition is filed for early disposal of the case, the issuance of notice to the private respondents is not necessary.

3. The revision petitioner as plaintiff has filed the suit in O.S.No.84 of 2019, claiming relief of declaration and for permanent injunction, restraining the respondents/defendants and their men from trespassing into the suit property and also to direct the third respondent/third defendant to cancel the sub-division dated 16.08.2000 and declare the same as null and void.

4. The learned counsel appearing for the revision petitioner would submit that though the suit has been filed as early as January 2019, till date there is no finality arrived, that the respondents/defendants are not co-operating with the trial Court to conduct the trial, that the revision petitioner is a senior citizen and that therefore, the trial has to be expedited.



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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. 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.



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

03.10.2023

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

To

1. The Sub Court,
Pattukottai,
Thanjavur 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
C.R.P.(MD)No.2480 of 2023

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