



C.R.P.(MD)No.2534 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.2534 of 2023

Murugan

: Petitioner/Defendant

Vs.

Vijayalakshmi

: Respondent/Plaintiff

Prayer : This Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned Additional District Judge, Palani, Dindigul District to dispose of the suit in O.S.No.45 of 2021, which is pending on its file within the time stipulated by this Court.

For Petitioner : Mr.P.Sepana @ Sree

ORDER

The Civil Revision Petition has been filed seeking a direction to dispose of the suit in O.S.No.45 of 2021, pending on the file of the Additional District Court, Palani, Dindigul District, within a specified time fixed by this Court.



C.R.P.(MD)No.2534 of 2023

WEB COPY

2. Since the revision petition is filed for early disposal of the case, the issuance of notice to the private respondents is not necessary.

3. Heard the learned counsel appearing for the revision petitioner and also perused the records.

4. The respondent/plaintiff has filed the suit in O.S.45 of 2021, claiming relief of declaration and for permanent injunction, restraining the petitioner/defendant and their men from trespassing into the suit property and also to declare that the gift deed executed by the plaintiff's mother Papathi, vide document No.2035/2018, dated 20.08.2018 as null and void.

5. When the matter is taken up for hearing today, the learned counsel appearing for the revision petitioner would submit that the suit has been filed in the year 2021 and though the petitioner/defendant has filed statement on 26.08.2021, the suit was simply adjourned for framing of issues from 19.01.2022 till now and that therefore, the trial has to be expedited.



C.R.P.(MD)No.2534 of 2023

WEB COPY

6. The fact remains that the suit was filed in the year 2021. 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.

7. 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.



C.R.P.(MD)No.2534 of 2023

WEB COPY

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

04.10.2023

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

To

- 1.The Additional District Judge, Palani,
Dindigul District.
- 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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