



C.R.P.(MD)No.2562 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.10.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.2562 of 2023

Murugan

: Petitioner/Plaintiff

Vs.

1.Siva @ Sivaguru

2.Raja

3.Kanimozhi

4.Vijayalakshmi

5.Arumugam

6.Kannan

7.Kamini

8.Murugayee

9.Nagalakshmi

10.Arumugam

11.Narasingam

12.Sadaiyandi

: Respondents/ Respondents

Prayer : This Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned Additional District Judge, Palani to dispose of the suit in O.S.No.187 of 2020, which is pending on its file within the time stipulated by this Court.



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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.187 of 2020, pending on the file of the learned Additional District Judge, Palani, within a specified time fixed by this Court.

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 learned counsel for the petitioner would submit that the petitioner/plaintiff has filed the suit in O.S.No.187 of 2020, for handing over the possession of the suit property to the plaintiff; permanent injunction restraining the defendants from interfering with the peaceful possession and enjoyment of the suit property and mandatory injunction.



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He would further submit that though the defendants have already filed the statement as early as on 30.09.2021, the suit was adjourned for framing of issues and on 08.06.2023 issues were framed and thereafter, there is no progress and that therefore, the above said case has to be expedited.

5. The fact remains that the suit was filed 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 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. 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.



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

Petition is disposed of. No costs.

06.10.2023

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

To

1.The Additional District Judge, Palani.

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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Dated : 06.10.2023