



CRP(PD)(MD).Nos.2553 & 2554 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2023

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

CRP(PD)(MD)Nos.2553 & 2554 of 2023

and

C.M.P(MD)No.13187 of 2023

S.R.Sundaram @ Kannan

: Petitioner/Petitioner/
Defendant
(in both petitions)

Vs.

Vanajakshy (died)

: 1st Respondent in
I.A.No.5 & 6 of 2023

1.B.Harikesavan

2.B.Sabarish

: Respondents1 & 2/ Respondents 2 & 3
Plaintiffs 2 &3
(in both petitions)

PRAYER in CRP(PD)(MD).No.2553 of 2023 : Civil Revision Petition is filed under Article 227 of Constitution of India, to call for the records relating to the fair and decreetal common order, dated 12.07.2023 made in I.A.No.5 of 2023 in O.S.No.15 of 2017 on the file of the Principal District Munsif (FAC), Nagercoil and set aside the same.

PRAYER in CRP(PD)(MD).No.2554 of 2023 : Civil Revision Petition is filed under Article 227 of Constitution of India, to call for the records



CRP(PD)(MD).Nos.2553 & 2554 of 2023

relating to the fair and decreetal common order, dated 12.07.2023 made in I.A.No.6 of 2023 in O.S.No.15 of 2017 on the file of the Principal District Munsif (FAC), Nagercoil and set aside the same.

(in both petitions)

For Petitioner : Mr.T.Antony Arul Raj

For Respondent : Mr.R.Murugan, for R1 & R2.

COMMON ORDER

These Civil Revision Petitions are directed against the common fair and decreetal orders, dated 12.07.2023 made in I.A.Nos.5 and 6 of 2023 in O.S.No.15 of 2017 on the file of the Principal District Munsif (FAC), Nagercoil, dismissing the petitions to reopen the defendant side evidence and to recall D.W.1 for the purpose of continuation.

2. When the matter is taken up for hearing today, the learned counsel for the respondents would submit that they are not having any objections to allow the revisions, but the trial Court may be directed to dispose of the case within the time stipulated by this Court.

3. The learned counsel for the petitioner would fairly concede the same.



CRP(PD)(MD).Nos.2553 & 2554 of 2023

4.As rightly pointed out by the learned counsel for the petitioner, though the learned trial Judge has pointed out 30 adjournments, all the periods were during the pandemic period.

5. Considering the above and also taking note of the fact that the other side has no objections, this Court is inclined to allow these revisions.

6. Accordingly, these Civil Revisions are allowed and the impugned common fair and decretal orders, dated 12.07.2023 made in I.A.Nos. 5 and 6 of 2023 in O.S.No.15 of 2017 on the file of the Principal District Munsif (FAC), Nagercoil, are set aside. The learned trial Judge is hereby directed to complete the trial and dispose of the case within a period of two months from the date of receipt of copy of this order. The petitioner/defendant is hereby directed to co-operate with the trial Court to complete the trial within the time stipulated by this Court. No costs. Consequently, connected Miscellaneous Petitions is closed.

04.10.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
das



WEB COPY



CRP(PD)(MD).Nos.2553 & 2554 of 2023

K.MURALI SHANKAR, J.

das

To

- 1.The Principal District Munsif (FAC),
Nagercoil.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.

CRP(PD)(MD)Nos.2553 & 2554 of 2023
and
C.M.P(MD)No.13187 of 2023

04.10.2023