



C.R.P.(MD)No.2660 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.2660 of 2023

Thirumoorthy

: Petitioner/Defendant

Vs.

Palaniselvam

: Respondent/Plaintiff

Prayer : This Civil Revision Petition filed under Article 227 of Constitution of India, to direct the District Munsif Court, Aranthangi to dispose of the suit in O.S.No.58 of 2020 within a time frame as fixed by this Court.

For Petitioner : Mr.M.Muniasamy

ORDER

The Civil Revision Petition has been filed seeking a direction to dispose of the suit in O.S.No.58 of 2020, pending on the file of the District Munsif Court, Aranthangi, within a specified time fixed by this Court.



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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 respondent as plaintiff has filed the suit in O.S.No.58 of 2020, for permanent injunction restraining the defendant and their men from interfering with the plaintiff's peaceful possession and enjoyment of property.

4.The learned counsel appearing for the revision petitioner/defendant would submit that respondent/plaintiff has filed an application in I.A.No.117/2020 for interim injunction and the same was dismissed. He would further submit that with an ill motive to restrain the petitioner, the respondent has filed as many as applications for delaying the suit and that therefore, the trial has to be expedited.

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



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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.

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.

16.10.2023

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



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To

- 1.The District Munsif Court,
Aranthangi.
- 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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