



C.R.P.(MD)No.2647 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.10.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.2647 of 2023

Venkadeswari

... Revision
Petitioner/
1st Defendant

Vs.

1. Rajakumar

2. Mohan

3. Vijayan

... Respondents/
Plaintiffs

4. Kanniya Bharathi

... Respondent/
2nd Defendant

Prayer : This Civil Revision Petition filed under Article 227 of Constitution of India, to direct the learned Additional District Court (Fast Track), Nagercoil, Kanyakumari District to expedite the disposal of the suit in O.S.No.103 of 2021.

For Petitioners : M/s.M.Kurus Celin Rani

ORDER

The Civil Revision Petition has been filed seeking a direction to dispose of the suit in O.S.No.103 of 2021, pending on the file of the



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Additional District Court (Fast Track), Nagercoil, Kanyakumari District,
within a specified time fixed by this Court.

2. I have heard the learned counsel appearing for the revision petitioner. Since the revision petition is filed for early disposal of the case, the issuance of notice to the respondents is not necessary.

3. The respondents 1 to 3 as plaintiffs have filed the suit in O.S.No. 103 of 2021, claiming reliefs of partition and injunction against the revision petitioner and the fourth respondent.

4. The learned counsel appearing for the revision petitioner would submit that the respondents 1 to 3 with an intention to disrupt the sale of the revision petitioner's property have filed the above suit, that since the market value of the property had tremendously increased, the respondents 1 to 3 are prolonging the case wantonly, that the case is pending for the past 2 years without any progress and that therefore, the trial has to be expedited.

5. The fact remains that the suit was filed in the year 2021. The High Court has already issued circulars to the District Judiciary, directing



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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.

6. However, the trial Court is required to give priority to the cases, as per the Circulars of the High Court. The revision petitioner is 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.

13.10.2023

NCC :yes/No
Index :yes/No
Internet:yes/No
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K.MURALI SHANKAR,J.

csn

To

1. The Additional District Court (Fast Track),
Nagercoil, Kanyakumari District.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.

Order made in
C.R.P.(MD)No.2647 of 2023

Dated : 13.10.2023