



C.R.P.(MD)No.2682 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.2682 of 2023

Manickam

... Petitioner/
Plaintiff

Vs.

1. Tamil Nadu Government
represented by its The District Collector,
Pudukkottai District,
Pudukkottai.
2. The Tahsildar,
Tahsildar Office,
Thirumayam Taluk,
Pudukkottai District.
3. The Revenue Divisional Officer,
Revenue Divisional Office,
Illuppur and Taluk,
Pudukkottai District.
4. The Registrar,
Birth and Death,
Melapanaiyur Village Panchayat,
Melapanaiyur and Post,
Thirumayam Taluk,
Pudukkottai District.

... Respondents/
Defendants



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Prayer : This Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned District Munsif Court cum Judicial Magistrate to expedite the trial in O.S.No.17 of 2022 on its file, within a time frame as may be fixed by this Court.

For Petitioner : Mr.D.Ramesh Kumar

For Respondents : Mr.A.Baskaran
Additional Government Pleader

ORDER

The Civil Revision Petition has been filed seeking a direction to dispose of the suit in O.S.No.17 of 2022, pending on the file of the District Munsif cum Judicial Magistrate Court, Thirumayam, within a specified time fixed by this Court.

2. I have heard the learned counsel appearing for the revision petitioner and the learned Additional Government Pleader appearing for the respondents.

3. The revision petitioner as plaintiff has filed the suit in O.S.No.17 of 2022 for mandatory injunction against the respondents herein.



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4. The learned counsel appearing for the revision petitioner would submit that the respondents have entered into appearance and filed their written statement, that though the case was posted for framing of issue on 23.02.2023, till now the issues are not yet framed, that the revision petitioner is a senior citizen and that therefore, the trial has to be expedited.

5. The fact remains that the suit was filed only in the year 2022. 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.



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6. As rightly pointed out by the learned counsel appearing for the revision petitioner, the revision petitioner is a senior citizen. 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 and on the ground of senior citizenship.

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

17.10.2023

NCC :yes/No
Index :yes/No
Internet:yes/No
csm

To

1. The District Munsif cum Judicial Magistrate Court,
Thirumayam.
2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
C.R.P.(MD)No.2682 of 2023

Dated : 17.10.2023