



CRP(PD)(MD)No.2373 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 04.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRP(PD)(MD)No.2373 of 2022

Ramabai Rep. through her power agent A.Kesavan		... Petitioner
	versus	
1. A.Saratha 2. S.Alaguraj		... Respondents

Civil Revision Petition filed under Article 227 of Constitution of India, seeking a direction to the Principal District Munsif, Madurai Town, to expedite the trial in O.S.No.263 of 2021 pending on its file and dispose of the same within a time to be fixed by this Court.

For Petitioner : Mr.R.Suriyanarayanan
For Respondents : Mr.K.C.Ramalingam

ORDER

The petitioner herein is the plaintiff in O.S.No.263 of 2021 and he filed the above suit for injunction against the respondents with



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regard to the suit schedule property. Now, he has approached this Court for early disposal of the suit in O.S.No.263 of 2021.

2. The learned counsel appearing for the petitioner submits that though the suit was filed in the month of June 2021, the respondents/defendants had taken adjournments without filing their written statements. Since the written statement has not been filed in time, they were set *ex parte* and thereafter, an *ex parte* order was passed, which was also set aside on the petition filed by the defendants. Even thereafter, the defendants, in order to drag on the proceedings, had been taking adjournments periodically. Therefore, the petitioner/plaintiff seeks for early disposal of O.S.No.263 of 2021.

3. The learned counsel appearing for the respondents submits that the suit was filed only in the year 2021 and the respondents have also filed their written statement and now, the suit is also ripe for trial. Therefore, there is no delay on the part of the defendants/respondents



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as well as on the part of the Court. The plaintiff alone has filed an application for amendment after the filing of the written statement and therefore, further proceedings could not be proceeded with.

4. Considering the rival submissions made and also considering the fact that the pleadings have been completed and the suit is ripe for trial, the learned Principal District Munsif, Madurai, is directed to conclude the trial within a period of one year from the date of receipt of a copy of this order.

5. With the above direction, the Civil Revision Petition is disposed of. No costs.

04.01.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

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B.PUGALENDHI, J.

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To

1. The learned Principal District Munsif,
Madurai

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