



C.R.P.(MD)No.2798 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 02.11.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(PD)(MD)No.2798 of 2023

A.Baskar Vincent

: Petitioner/Plaintiff

Vs.

1.A.Sam Victor Gnanamuthu

2.A.Peter Jebaraj

3.A.Suthakar

4.A.Roslin Rajan

5.A.Esther Annaal Rathinabai

6.A.Nirmala Muthukani Vimalabai

7.A.Megala Watson

8.A.Anita Roobi

9.A.Stella

: Respondents/Defendants

Prayer : This Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the I Additional District Court, Thoothukudi to dispose of the suit in O.S.No.84 of 2022 pending on the



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file of the I Additional District Court, Thoothukudi by passing preliminary decree for partition on merits at an earlier date.

For Petitioner : Mr.V.Shathurthiraja

ORDER

The Civil Revision Petition has been filed seeking a direction to dispose of the suit in O.S.No.84 of 2022, pending on the file of the learned I Additional District Court, Thoothukudi, within a specified time fixed by this Court.

2. Since the revision petition is filed for early disposal of the case, the issuance of notice to the private respondents is not necessary.

3. Heard the learned counsel appearing for the revision petitioner and also perused the records.

4. The revision petitioner as plaintiff has filed the suit in O.S.No.84 of 2022, for partition against the respondents/defendants.



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5. The learned counsel appearing for the revision petitioner would submit that though the suit has been filed as early as in January 2022, till date there is no finality arrived, that the respondents/defendants are not co-operating with the trial Court to conduct the trial, that the revision petitioner is a senior citizen and that therefore, the trial has to be expedited.

6. The fact remains that the suit was filed 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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7. 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.

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

02.11.2023

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

To

- 1.The I Additional District Court,
Thoothukudi.
- 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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