



C.R.P.(MD)No.3181 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.12.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.3181 of 2023

1.G.Sekar

2.S.Nithiyanantha

3.S.Jei Anand

4.S.Ravendran

: Petitioners/Plaintiffs 1 to 4

Vs.

1.P.Advedhanandan

2.P.Muthukumarappan

3.P.Serpavanantihi

4.P.Bala Gangatharan

5.P.Manivasagam

6.P.Vasudevan

7.P.Vijiyalakshmi

8.P.Maheshwari

9.P.Vijiyakumari

10.P.Gowri

11.P.Kasivishwanatan

12.P.Chithabaranathan



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- 13.P.Sinmayanthi
- 14.P.Shanmuganathan
- 15.P.Jeganathan
- 16.P.Buvaneshwari
- 17.A.Bhanumathi
- 18.A.Vithyasekar
- 19.K.Kala Ananthi
- 20.A.Anantha Sekar
- 21.N.Mathini
- 22.T.Thirugnapandiyan
- 23.T.Amirthalinga Pandiyan
- 24.T.Karunagara Pandiyan
- 25.T.Gomathi Nayagam
- 26.S.Bharamanagayam
- 27.S.Bharama Sakthi : Respondents/Defendants 1 to 27

Prayer : This Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned IV Additional District Judge, Tirunelveli to expedite the trial and dispose of the suit in O.S.No.65 of 2019 within time limit as fixed by this Court.

For Petitioner : Mr.G.Karuppasamy Pandiayan



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ORDER

The Civil Revision Petition has been filed seeking a direction to dispose of the suit in O.S.No.65 of 2019, pending on the file of the learned IV Additional District Judge, Tirunelveli, 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 respondents is not necessary.

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

4. The learned counsel for the petitioners would submit that the petitioners/plaintiffs have filed the suit in O.S.No.65 of 2019 for partition and other consequential reliefs. He would further submit that with an ill motive to delay the trial, the respondent has filed as many as six applications and except the application in I.A.No.8 of 2023 other applications were disposed of and the respondents/defendants without



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filing written statement wantonly dragging the proceedings and that therefore, the trial has to be expedited.

5. The fact remains that the suit was filed in the year 2019. 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 petitioners 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.

6. In view of the above, the revision petitioners are 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.



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7. With the above observation and direction, the Civil Revision

Petition is disposed of. No costs.

07.12.2023

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

To

- 1.The IV Additional District Judge,
Tirunelveli.
- 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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Dated : 07.12.2023