



C.R.P.(MD)No.3108 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.3108 of 2023

R.Malliga

... Petitioner

Vs.

1. R.Lakshmanan
2. V.Santhana Krishnan
3. V.Kannan
4. V.Andal
5. V.Rajam
6. V.Rani
7. V.Nivetha
8. V.Narmatha
9. V.Vinotha
10. H.Backiyalakshmi
11. H.Nirmala
12. H.Saravanan



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13. H.Dinesh

14. G.Sasikala

15. Minor G.Harini

(minor represented through her mother and next friend Sasikala)

16. A.Veeralakshmi

17. A.Jothilakshmi

... Respondents

Prayer : This Civil Revision Petition filed under Article 227 of Constitution of India, to direct the learned V Additional District Judge, Madurai to dispose the O.S.No.449 of 2021 on the file of the V Additional District Judge, Madurai as expeditiously as possible, within a time frame as stipulated by this Court.

For Petitioner : Mr.B.Prasanna Vinoth

ORDER

The Civil Revision Petition has been filed seeking a direction to dispose of the suit in O.S.No.449 of 2021, pending on the file of the V Additional District Court, Madurai, 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.



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3. The revision petitioner as plaintiff has filed the suit in O.S.No. 449 of 2021 seeking a relief of partition against the respondents.

4. The learned counsel appearing for the revision petitioner would submit that taking advantage of the pendency of the suit, the first respondent has disposed of some of the suit schedule properties, that the suit is pending for the past 2 years without any progress, that the respondents are attempting to drag on the proceedings and that therefore, the trial has to be expedited.

5. The fact remains that the suit was filed only in the year 2021. 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.



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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.

28.11.2023

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

To

1. The V Additional District Court,
Madurai.
2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

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