



C.R.P.No.383 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 19.02.2024**

**CORAM**

**THE HONOURABLE MR. JUSTICE V. SIVAGNANAM**

**Civil Revision Petition No.383 of 2024**

A.P.Raja

Hereditary Trustee and hereditary Poosari of  
Sri Selliamman Temple, Sri Sendrayaperumal Temple,  
Sri Mariamman Temple, Sri Aathi Selliamman Temple,  
and Periya Muniyappan Temple of Anuppur Village,  
Vazhapadi Taluk, Salem District.

... Petitioner

Vs

1. V. Vaithiyalingam

2. S. Venkatesan

3. K. Manickam

... Respondents

**Prayer:** Civil Revision Petition has been filed under Article 227 of the Constitution of India for time bound disposal of the interim application in I.A.No.260 of 2023 in O.S.No.41 of 2023 pending on the file of District Munsiff Court at Vazhapadi.



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For Petitioner : Mr S. Ramesh

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**ORDER**

The present civil revision has been filed to direct the learned District Munsiff, Vazhapadi, to dispose the I.A.No.260 of 2023 in O.S.No.41 of 2023 in a time bound manner.

2. The learned counsel for the revision petitioner/plaintiff submitted that the petitioner, being a Hereditary Trustee and Hereditary Poosari of the plaintiff's Temple, has been conducting pooja for more than seven generations. While being so, since the respondents/defendants are creating problem for conducting pooja, the petitioner herein filed O.S.No.41 of 2023 for permanent injunction restraining the respondents/defendants from interfering with the customary festival and pooja in the suit temple by the petitioner/plaintiff. In the said suit, the petitioner herein had filed a petition in I.A.No.260 of 2023 for ad-interim injunction restraining the respondents from interfering with the customary festival and pooja of the suit temple till the disposal of the suit and the same is pending for a long time. Hence, the petitioner by way of the



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present civil revision petition sought direction of this court to the Trial Judge to dispose the case within a stipulated time.

3.I have considered the matter in the light of the submission made by the learned counsel appearing for the petitioner and perused the material available on record.

4.On verification through e-filing, the total pendency of the trial Court is 1095, out of which, Civil Cases are 416 and Criminal cases are 679. With regard to the disposal of pending cases in the Court, the ***Hon'ble Supreme Court in W.P.No.587/2023, dated 10.11.2023, in Shaikh Uzma Feroz Hussain Vs. The State of Maharastra*** held that “since every High Court and every Court in the country has a huge pendency, the constitutional court should avoid temptation of fixing a time-bound schedule for disposal of any case before any court unless the situation is extra ordinary.”



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5.Considering the pendency of the case before the trial Court and the decision of the Hon'ble Supreme Court *in W.P.No.587/2023, dated 10.11.2023, in Shaikh Uzma Feroz Hussain Vs. The State of Maharastra*, no time bound order can be passed for disposal of the case. However, considering the nature of the case, this Court directs the learned District Munsiff, Vazhapadi, to dispose the I.A.No.260 of 2023 in O.S.No.41 of 2023 within a period of six months from the date of receipt of a copy of this order.

6.With the above direction, the Civil Revision Petition is allowed. No costs.

**19.02.2024**

Index: yes/no  
Internet:yes/no  
mrp

To

The District Munsif,  
The District Munsif Court,  
Vazhapadi

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**V. SIVAGNANAM, J.**

mrp

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