



C.R.P.No.210 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2024

CORAM

THE HONOURABLE MR. JUSTICE V. SIVAGNANAM

Civil Revision Petition No.210 of 2024

J. Arumugam

...

Petitioner

Vs

1. K. Raja

2. K.Vijayakumar

...

Respondents

Prayer: Civil Revision Petition has been filed under Article 227 of the Constitution of India to direct the Hon'ble District Munsif Court, Ambattur, to dispose the suit in O.S.No.117 of 2019 within the time frame by this Hon'ble Court.

For Petitioner : Mr S. Ramajayam



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ORDER

The present civil revision has been filed to direct the learned District Munsiff, Ambattur to dispose the O.S.No.117 of 2019.

2. The learned counsel for the revision petitioner submitted that the petitioner herein is defendant and, respondents herein are plaintiffs in O.S.No.117 of 2019 pending on the file of the District Munsif Court, Ambattur. The said suit was filed for mandatory injunction to direct the petitioner/defendant to remove the compound wall erected on the eastern side and southern side of the suit property and for permanent injunction restraining the defendant and his men from interfering with the plaintiffs' peaceful possession and enjoyment of the suit property and the same is pending from the year 2019. Hence, the petitioner by way of the 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



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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 469 cases. 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 Maharashtra*** 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 extraordinary.”

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 Maharashtra***, no time bound order can be passed for disposal of the case. However, considering the fact that since the matter is pending from the year 2019, this Court directs



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the learned District Munsiff, Ambattur, to dispose the O.S.No.117 of 2019 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.

23.02.2024

Index: yes/no
Internet:yes/no
mrp

To

The District Munsif,
Distrit Munsif Court,
Ambattur



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V. SIVAGNANAM, J.

mrp

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