



CRP No.356 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2024

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

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D.L.Vasantha Rao @ Vasanthakumar

... Petitioner

Vs.

1.S.J.Prakash

2.S.R.Madanagopal

3.G.Sundaram

4.Shamim Banu

...Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India for a direction to the learned District Munsif cum Judicial Magistrate Court, at Sriperumbudur for the speedy disposal of the suit in OS. No.288 of 2011, within the time stipulated.

For Petitioner

: Mr.V.Pavel



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ORDER

The civil revision petition is filed for a direction to the learned District Munsif cum Judicial Magistrate Court, at Sriperumbudur for the speedy disposal of the suit in OS. No.288 of 2011, within the time stipulated.

2. The petitioner is the plaintiff and respondents are defendants in OS No.288 of 2011 on the file of the learned District Munsif cum Judicial Magistrate at Sriperumbudur. The petitioner/plaintiff has filed the suit for permanent injunction against the defendants. According to the petitioner, issues have been framed and the case is posted in the special list. The respondents are filing applications to protract the proceedings. The suit is pending from the year 2011. Hence, the petitioner has filed the present civil revision petition for a direction to the trial court to dispose the said suit within a time frame.



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3. Learned counsel for the petitioner submits that issues have been framed and the case is posted in the special list. The respondents are filing applications to protract the proceedings. Hence, he seeks for a direction to the trial court to dispose the said suit within a time frame.

4. Heard the learned counsel for the petitioner and perused the materials available on record.

5. At this juncture, it is worthwhile to note that 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* has dismissed the writ petition, by observing as follows.

“ We are of the view 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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6. On verification of the court status, it is noticed that the second respondent/second defendant died and an application in IA No.1 of 2022 has been filed to bring on record the legal representatives of the second respondent/second defendant.

7. Considering the nature of the case, and taking note of the fact that the suit is pending from the year 2011, the learned District Munsif cum Judicial Magistrate at Sriperumbudur, is directed to dispose of OS No.288 of 2011, as early as possible.

8. With the above direction, the Civil Revision Petition is disposed of. There shall be no order as to costs.

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Internet: Yes/No
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