



Crp No.748 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 12.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

CRP No.748 of 2024

1. S.Sivagami
2. S.Nambi

... Petitioners

Vs.

S.Parvathy

... Respondent

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India for direction of speedy disposal of the I.A.No.1/2022 in O.S.No.2828/2022 on the file of XVII Additional Judge, City Civil Court, Chennai to dispose of

For Petitioners : Mr.R.Thiagarajan

ORDER

This Civil Revision Petition has been filed to direct the learned XVII Additional Judge, City Civil Court, Chennai to dispose of the I.A.No.1/2022 in O.S.No.2828/2022, within a time frame, as fixed by this court.

2. The petitioners herein are the defendants 1 and 2 and the respondent



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herein is the plaintiff in the above said suit. The respondent has filed the above suit for declaration of settlement deed dated 22.01.2021 as null and void and also for partition and separate possession of the suit property. Pending suit, the petitioners have filed I.A.No.1/2022 for rejection of plaint. Despite argument was over and clarification was also done by the petitioners, the Trial Judge is adjourning the matter periodically from 09.01.2023, without disposing the matter . Hence this petition.

3. 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 Maharastra*** 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.”

4. Further, pursuant to the direction of this Court, the Registry, on verification through e-filing, has reported that the total pendency of the cases in the above Court is 10322.

5. Considering the pendency of the cases and also taking note of the



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fact that the above petition was filed on 19.08.2022 itself and it is still pending for more than one and half year, the learned XVII Additional Judge, City Civil Court, Chennai is directed to dispose of the I.A.No.1/2022 in O.S.No.2828/2022 *within a period of two months from the date of receipt of a copy of this order.*

6. With the above direction, the Civil Revision Petition is disposed of.

No costs.

12.03.2024

Index: Yes/No
Internet: Yes/No
mst

To

The VII Additional Judge, City Civil Court, Chennai.



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V.SIVAGNANAM, J.

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