



C.R.P.No.495 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2024

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

C.R.P.No.495 of 2024

M.R.Singhwi

Rep. by its General Power Agent

Mr.P.Thamotharan

... Petitioner

Vs.

1.Vijayalakshmi

2.Rajeswari

3.Gajalakshmi

4.Subramani

5.Velmurugan

6.Alagappan

7.Poorani

8.Ananthi

9.Murugan

10.Arumugam

... Respondents

PRAYER: Civil Revision Petition has been filed under Article 227 of Constitution of India, 1950, praying to direct the Principal Sub Court at Tindivanam to dispose the suit in O.S.No.43 of 2022 within time as fixed by this Court.



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For Petitioner : Mr.D.Senthil Kumaar

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ORDER

This revision petition has been filed seeking a direction to the Principal Sub Court, Tindivanam to dispose of the suit in O.S.No.43 of 2022 within a stipulated time. The petitioner has filed a suit in O.S.No.43 of 2022 seeking for declaration and injunction against the respondents.

2.The contention of the learned counsel for petitioner is that the petitioner purchased the property from one Subramaniya Mudaliar by Sale Deed Document No.1956/1987 dated 23.07.1987. Later the petitioner came to know that the 10th respondent one Arumugam, S/o.Samikannu created forged Sale Deed Document No.5940/2009 dated 07.12.2009 impersonating the petitioner and affixed some third parties photos in the sale deed, as if the petitioner sold and conveyed the property in his favour. Further another forged document created by the 6th respondent, one Alagappan, S/o.Govindasamy, who was the mediator to the petitioner while purchasing



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the said property, as if he is the owner of the property and executed a sale deed Document No.871 of 2008 dated 13.02.2008 in favour of one B.Ananthi, W/o.Baskaran. Hence, the petitioner filed the suit to declare both the sale deeds as null and void and also protection for his property. Further submitted that the petitioner is a senior citizen aged about 70 years and the case is now kept pending. In the suit, service completed, written statement filed as early as on 18.08.2022 and the case was adjourned to 15.10.2022 for framing of issues. Thereafter, it has been periodically adjourned from 12.01.2023 to till date at the stage of framing of issues. The respondents are seeking adjournments without any reason and delaying the progress of the case. The trial Court is also not sensitive to the age of the senior citizen fighting for his property, which is a fundamental right.

3.Since it is only a limited prayer seeking direction to dispose of the suit in O.S.No.43 of 2022 within the stipulated period, notice to the respondents not required. Hence, notice to the respondents dispensed with.



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4.The learned counsel for petitioner made his submissions and produced the E-Court proceedings. From the E-Court proceedings it is seen that the suit is pending from the year 2022. Now the suit is at the stage of framing of issues. In view of the above factual position, this Court directs the trial Court (Principal Subordinate Court, Tindivanam) to dispose of the case in O.S.No.43 of 2022 within a period of four months from the date of receipt of a copy of this order.

5.With the above directions, the Civil Revision Petition is disposed of. No costs.

09.07.2024

Index : Yes/No

Internet : Yes/No

Speaking order/Non speaking order

Neutral Citation : Yes/No

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To

The Principal Sub Judge,
Tindivanam.



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M.NIRMAL KUMAR, J.

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