



Crp No.747 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 07.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

CRP No.747 of 2024

1. T.Raghu
2. T.Prakasam
3. V.Suresh

... Petitioners

Vs.

1. M.S.Shanmugam

M.S.Palanivel (died)

2. Pramod Kumar Bhalotia

3. M/s VKP Enterprises Pvt. Ltd.,
rep. by its authorised signatory Mr.S.Sasikumar,
s/o Sivasubramaniam, No.7C, Eswaran Koil Street,
Oagadam, Ambattur, Chennai 600 053.

4. V.Janarthanam

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India to direct the learned District Munsif cum Judicial Magistrate, Madhavaram, to expedite the trial and dispose of the O.S.No.40/2019.

For Petitioners : Mr.A.G.Rajan



Crp No.747 of 2024

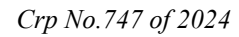
ORDER

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This Civil Revision Petition has been filed to direct the learned District Munsif cum Judicial Magistrate, Madhavaram, to dispose of the O.S.No.40/2019, within a time frame, as fixed by this court.

2. The petitioners herein are the plaintiffs and the respondents herein are the defendants in the above said suit, which was filed for declaration of the sale deeds dated 3.11.2005 and 21.11.2011 as null and void and consequential permanent injunction, restraining the defendants from interfering with the peaceful possession and enjoyment of the petitioners in the suit property. A perusal of the case status shows that the suit was pending from the year 2021 for filing written statement and in the meanwhile, interlocutory applications are filed and pending. According to the petitioners, though order was reserved on the injunction petition, till date, no order has been passed and without any cause, the Trial court has periodically adjourned the matter and in the meanwhile, the respondents are trying to alienate the property. Hence this civil revision petition has been filed.

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***



“ 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.”

5. Considering the pendency of the cases and also taking note of the fact that the above suit is of the year 2019 and it is pending for filing written statement, the learned District cum Judicial Magistrate, Madhavaram is directed to dispose of the suit in O.S.No.40/2019, ***within a period of eight months from the date of receipt of a copy of this order.***

07.03.2024

To

Page 3 of 4



WEB COPY



Crp No.747 of 2024

V.SIVAGNANAM, J.

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CRP No.747 of 2024

07.03.2024