



Crp No.772 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 11.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

CRP No.772 of 2024

1. Chandrakala
2. P.Madhaiyan
3. M.Narayanamoorthy
4. M.Thiyagarajan

... Petitioners

Vs.

1. A.Mahalakshmi
2. The District Collector,
Collectorate, Salem.
3. The District Revenue Officer,
Collectorate, Salem.
4. The Revenue Divisional Officer,
Collectorate, Salem.
5. The Tahsildar, Salem South,
Salem.
6. The Taluk Suveyor, Salem South,
Salem.
7. The Firca Surveyor, Salem South,
Salem.



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8. The Revenue Inspector, Erumapalayam Village,
Salem Taluk and District.

9. The Village Administrative Officer,
Kalarampatti, Salem-South,
Salem Taluk and District.

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India to direct the II Additional Subordinate Judge, Salem to dispose of the O.S.No.460/2014, within a time frame, as fixed by this Court.

For Petitioner : Mr. M.Ramalingam

ORDER

This Civil Revision Petition has been filed to direct the learned II Additional Subordinate Judge, Salem to dispose of the O.S.No.460/2014, within a time frame, as fixed by this Court.

2. The petitioners herein are the defendants 1 to 4 and the first respondent herein is the plaintiff in the above said suit, which was filed for declaration that the new survey measurements are null and void and consequential direction to the defendants 5 to 12 to cancel the new T.S.measurements and to adopt the old survey measurements in the revenue records, with regard to the suit schedule property. According to the petitioners, the first respondent/plaintiff is dragging the matter and the Trial



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Judge has failed to conduct the case in a speedy manner. Hence this civil revision 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 1807.

5. The case status shows that issues have been framed and the matter was posted for Trial in the year 2016 itself. However, in view of the pendency of the interlocutory applications, the Trial not yet commenced.

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



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fact that the above suit is of the year 2016 and the case is pending for Trial from the year 2016 for more than 7 years, the learned II Additional Subordinate Judge, Salem is directed to dispose of the suit in O.S.No.460/2014 *within a period of six months from the date of receipt of a copy of this order.*

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

No costs.

11.03.2024

Index:Yes/No
Internet:Yes/No
mst

To

The II Additional Subordinate Judge, Salem.



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V.SIVAGNANAM, J.

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