



C.R.P.No.2300 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2024

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

C.R.P.No.2300 of 2024

Kamala

... Petitioner

Vs.

1.Lakshmi  
2.Amirthalingam  
3.Nandhakumar  
4.Nandhini  
5.Naveenkumar  
6.B.Purushothaman  
7.B.Elumalai  
8.B.Natarajan  
9.B.Neelambal

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to direct the learned Principal Sub Judge, Tindivanam to expedite the proceedings in A.S.No.19 of 2019 within a time frame fixed by this Court.

For Petitioner : Mr.M.Dinesh



WEB COPY



C.R.P.No.2300 of 2024

## ORDER

In continuation and in conjunction of the earlier order of this Court on 04.07.2024, a report was received from the learned Principal District Munsif, Tindivanam in D.No.485/2024 dated 12.07.2024 and the learned Principal Subordinate Judge, Tindivanam in D.No.644/2024 dated 12.07.2024.

2.From the report of the learned Principal District Judge, Tindivanam, it is seen that there have been some mix up of records by the then Record Clerk, who retired on 31.05.2023, while submitting the records of O.S.No.159 of 2012 to the Principal Sub Court mentioned in D.No.48/2021 dated 17.01.2021 wrongly mentioned the same D.No. for O.S No.168 of 2011 in the Appeal Intimation Register. In view of the above wrong entry, the records were mistakenly submitted to the District Court, Villupuram. Now the case bundle was received from the Principal District Court, Villupuram and re-submitted to the Principal Subordinate Court, Tindivanam on 12.07.2024.



C.R.P.No.2300 of 2024

WEB COPY

3.The report of the learned Principal Subordinate Judge, Tindivanama is that the appeal suit in A.S.No.19 of 2019 against the judgment and decree in O.S.No.168 of 2011 dated 26.04.2016, after taking the appeal on file records were called for from the Trial Court and received on 09.12.2020. Since the records were with the some defect, the same was returned to the Principal District Munsif Court, Tindivanam on 25.01.2021 in D.No.92/2021. Thereafter, the learned Principal District Munsif had not returned back the records after compliance of defects. The present learned Principal Subordinate Judge, Tindivanam who took charge on 02.05.2022 addressed reminders to the learned Principal District Munsif, Tindivanam on 30.08.2022, 27.09.2022 and 31.10.2022. The learned Principal District Munsif informed that the records were mistakenly sent to the Principal District Court, Villupuram and now records were received from the Principal District Court, Villupuram and submitted to the Principal Subordinate Court, Tindivanam on 12.07.2024. The further explanation is that the case was kept pending due to non-availability of case records due to the above said reasons and assured that now records were received and



C.R.P.No.2300 of 2024

A.S.No.19 of 2019 shall be disposed of as expeditiously as possible as directed by this Court.

4.In view of the above position, this Court directs the learned Principal Subordinate Judge, Tindivanam to dispose of the case in A.S.No.19 of 2019 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 stands allowed. No costs.

16.07.2024

Index : Yes/No  
Speaking Order/Non Speaking Order  
Neutral Citation: Yes/No  
*cse*



WEB COPY



C.R.P.No.2300 of 2024

M.NIRMAL KUMAR, J.

*cse*

To

The Principal Subordinate Judge,  
Tindivanam.

C.R.P.No.2300 of 2024

16.07.2024