



C.R.P.No.1972 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2024

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

C.R.P.No.1972 of 2024

P.Suresh

... Petitioner

Vs.

- 1.Bettappa
- 2.Ellappa @ Venkataramanappa
- 3.Muniswamy
- 4.Narayanamma
- 5.Sriram
- 6.Minor. Mala
- 7.Narayanappa @ Narayanaswamy
- 8.Shyla
- 9.Minor Kavya
- 10.Minor Anjali
- 11.Minor Lavanya
- 12.Nagaraj
- 13.Manjunath
- 14.Parvathamma
- 15.Minor Pallavi
- 16.Minor Ganesh
- 17.Nanjamma
- 18.Minor Madan
- 19.Munikaverappa



C.R.P.No.1972 of 2024

20.Muniraj

21.M.Shivabalan

... Respondents

PRAYER: Civil Revision Petition has been filed under Article 227 of Constitution of India, 1950, praying to direct the District Munsif cum Judicial Magistrate No.I, Hosur to dispose of the O.S.No.100 of 2012 within the time to be stipulated by this Court.

For Petitioner : Ms.R.Divyapreathika

ORDER

This Civil Revision Petition has been filed by the petitioner/18th defendant in O.S.No.100 of 2012 seeking a direction to the District Munsif cum Judicial Magistrate No.I, Hosur to dispose of the O.S.No.100 of 2012 within a stipulated period of time.

2.The learned counsel for petitioner submitted that respondents 1 to 3 herein have filed the suit in O.S.No.100 of 2012 for declaration and permanent injunction against the defendants, restraining them from trespassing into the suit property till the disposal of the suit, further restraining the petitioner/D18 and D19 from alienating the suit property. It is



C.R.P.No.1972 of 2024

WEB COPY

also submitted that the suit property was purchased by the petitioner/D18 and D19 from his vendors D1 to D17. D1 to D17 were set ex-parte. The contesting parties are petitioner/D18 and D19. For one reason or other the case has been periodically getting adjourned from 03.08.2012 to 15.03.2024. So far, 83 adjournments have gone, the trial is yet to commence and the case is kept pending without any progress.

3.Since it is only a limited prayer seeking direction to complete the trial within a specified period, notice to the respondents not required. Hence, notice to the respondents dispensed with.

4.From the adjudication it is seen that so far, 83 hearings have gone by and now the case is pending for enquiry in I.A.Nos.1, 2 and 3 of 2021, which were filed by the plaintiffs. The undisputed fact is that the case has been kept pending from the year 2012 for more than 12 years and the trial is yet to commence. In view of the same, this Court directs the trial Court



WEB COPY



C.R.P.No.1972 of 2024

M.NIRMAL KUMAR, J.

rsi

(District Munsif cum Judicial Magistrate Court No.I, Hosur) to complete the trial in O.S.No.100 of 2012 within a period of six months from the date of receipt of a copy of this order.

5.With the above directions, this Civil Revision Petition is allowed.

No costs.

11.06.2024

Index : Yes/No

Internet : Yes/No

Speaking order/Non speaking order

Neutral Citation : Yes/No

rsi

To

The District Munsif cum Judicial Magistrate No.I,
Hosur.

C.R.P.No.1972 of 2024