



C.R.P.No.2436 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2024

CORAM:

THE HONOURABLE Mr.JUSTICE V.LAKSHMINARAYANAN

C.R.P.No.2436 of 2024

1.Chinnaiya Udayar Samaathi Dharmam
and Veilakanni Festival Annadhana Dharman
Represented by its Trustee Martin Selvam

2.Martin Selvam

... Petitioners

Vs

Gnanaprakasam (since deceased)

1.Devadoss Chinnaiya
2.Irudhayaraj
3.M.L.Rajan

4.Shrine Basilica, Velankanni
Rep by its Rev.Father
Arokiya Madha Church
Velankanni, Keezhvelur Taluk
Nagapattinam District.

5.The Bishop
Bishop House
Thanjavur Town
Thanjavur Taluk
Thanjavur District.



C.R.P.No.2436 of 2024

6. Richard
S/o.Chinraj Antonyraj
Dharvida Hotel and Lodge
Velankanni Keezhvelur Taluk
Nagapattinam District.

7.Panneer
S/o.Mr.Robart
Paradise Hotel and Lodge
Velankanni Keezhvelur Taluk
Nagapattinam District.

... Respondents

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India praying to direct the District Judge, Nagapattinam to dispose of the suit in O.S.No.3 of 2018 at an earlier date.

For Petitioners : Mr.P.N.George Graham

ORDER

This revision seeks for expeditious disposal of O.S.No.3 of 2018 pending on the file of District Court, Nagapattinam.

2. A perusal of the e-Courts diary as produced by the civil revision petitioners shows that the matter was listed for trial in 2021, and thereafter interlocutory applications have been taken out for amendment of plaint and for impleadment of third parties. Consequently, the suit which was in the



stage of evidence on 09.09.2022, went out of the list for the purpose of deciding those interlocutory applications.

3. The learned counsel for the civil revision petitioners would submit that pending the suit, the first defendant had died and hence, the plaintiffs have taken out I.A.No.3 of 2023 to amend the plaint. That apart, I.A.No.6 of 2023 was taken out by a third party to implead him as a party defendant to the suit, and that both these interlocutory applications are pending.

4. Though the revision petition seeks for a higher relief of direction to dispose the suit, I am of the view that when the interlocutory applications in the suit are pending before the trial Court, giving a direction to the learned Judge for early disposal of the suit would prejudice the parties. If the said interlocutory applications for amendment of plaint and impleadment are allowed, that would necessarily have other consequences of calling upon the parties to file additional written statements. Therefore, if a direction is given straight away for disposal of the suit, the ancillary rights would be thwarted.



C.R.P.No.2436 of 2024

5. In view of the above, I am inclined to give a direction to dispose of the interlocutory applications filed for amending the plaint and for impleadment in I.A.No.3 of 2023 and I.A.No.6 of 2023 respectively within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above directions, the civil revision petition stands disposed of accordingly. No costs.

18.07.2024

Index:Yes/No

Neutral Citation : Yes / No

Speaking order / Non-speaking orders

To:

1.The Judge
District Court
Nagapattinam.

2.The Section Officer
VR Section
High Court, Chennai.



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C.R.P.No.2436 of 2024

V.LAKSHMINARAYANAN,J.

ds

C.R.P.No.2436 of 2024

18.07.2024