



C.R.P.No.2376 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2024

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

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Parswanathan Nainar

... Petitioner

Vs.

- 1.Athisaami Gounder
- 2.Mani Achari
- 3.Aththiyaan Mestri
- 4.Perumal
- 5.Anandan
- 6.Kuppusamy
- Appandai Nainar (Deceased)
- 7.Nemidass Nainar
- 8.Prabakaran
- Arikeerthi Nainar (Deceased)
- 9.Appukutti Nainar
- 10.The District Collector,
Villupuram District,
Villupuram.
- 11.The Tahsildar,
Gingee,
Gingee Taluk,
Villupuram District.
- 12.The Inspector of Police,
Gingee, Tiruvannamalai Road,
Gingee Town, Gingee Taluk,
Villupuram District.



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13.Ramani
14.Lakshmi
15.Chinnadurai
16.Suresh
17.Padmaprabha

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to pass direction for the early disposal of suit in O.S.No.71 of 2018 pending on the file of the learned Principal District Munsif Court, Gingee.

For Petitioner : Mr.L.Poovendra Perumal

ORDER

The petitioner, the 1st defendant filed this civil revision petition seeking early disposal of the suit in O.S.No.71 of 2018 pending on the file of the Principal District Munsif Court, Gingee.

2.Since the prayer sought for by the petitioner is to the limited extent, notice to the respondents is dispensed with.

3.The learned counsel for the petitioner submitted that the petitioner is the 1st defendant and the defendants 2 to 6 are private persons and



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defendants 7 to 9 are the District Collector, Villupuram, Tahsildar, Gingee and Inspector of Police, Gingee. The suit filed by the respondents 1 to 6 seeking injunction against the petitioner and others not to enter into the suit property and not to cut down the trees for the reason that the lands are grazing lands. According to the petitioner, this is on a wrong notion because the land belongs to Jain community. The defendants 1 to 6 as well as the official defendants filed written statement in the suit. In the revenue records, mistake crept in which has been taken advantage by the plaintiffs and filed the suit. Earlier to the suit, there have been writ petition in W.P.No.13505 of 2005 which was filed by the Jain community people for correcting the mistake committed. The Tahsildar who filed the counter which is adopted by the District Collector and Inspector of Police in the written statement, confirmed that the land belongs to Jain community and by mistake it was wrongly entered as grazing waste land which has now been corrected in view of the order passed in W.P.No.13505 of 2005 after conducting property enquiry and verification of records. There is no appeal or revision filed against the order passed in W.P.No.13505 of 2005. The order attains finality and the properties reclassified as “பில்முத்தா



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சமுதாயம்” (Jain community).

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4.The learned counsel for the petitioner further submitted that the written statement filed in the year 2018 and thereafter for citing pendency of interim applications the case periodically adjourned. Now enjoying the interim injunction order passed in I.A.No.560 of 2018 in O.S.No.71 of 2018, the respondents 1 to 6 are not inclined to proceed with the suit and the lower Court is also simply adjourning the case.

5.In support of his submissions, the learned counsel for the petitioner produced the plaint copy, written statement filed by the petitioner as well as private respondents and written statement of official respondents and the daily proceedings of the suit.

6.Finding that the suit is pending from the year 2018, this Court directs the learned Principal District Munsif, Gingee to dispose of the suit in O.S.No.71 of 2018 within a period of three months from the date of receipt of a copy of this order.



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WEB COPY 7. With the above directions, this civil revision petition stands

disposed of. No costs.

15.07.2024

Speaking Order/Non Speaking Order

Neutral Citation: Yes/No

Index: Yes/No

Internet: Yes

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To

The Principal District Munsif Court,
Gingee.



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M.NIRMAL KUMAR, J.

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