



Crp No.267 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 21.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

CRP No.267 of 2024

Dena Dayalan

... Petitioner

Vs.

1. P.Balaji
2. K.K.Palaniappan
3. Balachandar
4. Elanjelian
5. V.Kokila

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India to direct the learned Principal District Munsif Court, Thiruchengode, to dispose of the O.S.No.295/2013 within a time frame, as fixed by this Court.

For Petitioner : Mr. K.Sathish Kumar

ORDER

This Civil Revision Petition has been filed to direct the learned Principal District Munsif Court, Thiruchengode, to dispose of the O.S.No.295/2013 within a time frame, as fixed by this Court.



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2. The petitioner herein the 4th defendant and the first respondent herein is the plaintiff in the above said suit and it was filed against the defendants 1 to 5, seeking declaration of his title over the second item of the suit properties and for consequential permanent injunction. According to the petitioner, the case was periodically adjourned from 09.09.2014 to 17.07.2023, without any progress and it is pending for trial along with O.S.No.296/2015. In such circumstances, the petitioner sought direction of this court to the Trial Judge for speedy disposal of the case within a time frame.

3. The learned counsel for the petitioner submitted that, already the petitioner has filed CRP No.155/2024 before this Court, seeking speedy disposal of the suit in O.S.No.296/2015, on the file of the Principal District Munsif, Thiruchengode, wherein, this Court, by order dated 19.02.2024, has directed the learned Principal District Munsif, Thiruchengode to dispose of the O.S.No.296/2015, within six months from the date of receipt of a copy of this order. Therefore, the learned counsel submitted that, since both the suits in O.S.No.295/2013 and O.S.No.296/2015 are pending for simultaneous trial, appropriate direction may be given to the learned Munsif to dispose of the O.S.No.295/2013, within six months, as ordered in CRP No.155/2024, dated



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4. 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 Maharashtra* 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.”

5. 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 221.

6. Considering the pendency of the cases in the above court; and also taking note of the fact that the suits in O.S.No.295/2013 and O.S.No.296/2015 are pending for simultaneous trial; and already, this Court, vide order dated 19.02.2024 in CRP No.155/2024, has directed the learned Munsif to dispose of the case in O.S.No.296/2015, within six months time, this court is inclined to allow the civil revision petition.



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7. Accordingly, the learned Principal District Munsif, Thiruchengode is hereby directed to dispose of the suit in O.S.No.295/2013, within six months from the date of receipt of a copy of this order.

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

No costs.

21.02.2024

Index:Yes/No
Internet:Yes/No
mst

To

The Principal District Munsif, Thiruchengode.



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V.SIVAGNANAM, J.

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