



Crp No.155 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 19.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

CRP No.155 of 2024

Deenadhayalan

... Petitioner

Vs.

1. Muthulatchmi
2. Palaniappan
3. Revathi
4. Aruljothi
5. Balaji

... 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.296/2015 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.296/2015 within a time frame, as fixed by this Court.

2. The petitioner herein the 5th respondent and the first respondent



Crp No.155 of 2024

WEB COPY

herein is the plaintiff in the above said suit and it was filed for partition against the defendants 1 to 5. Further, on perusal of the daily status of the case, it shows that for examination of PW1, the case was pending from 17.07.2023 and 13.09.2023. Thereafter the case was pending for cross examination of PW1 from 25.09.2023 till 16.02.2024 and it was posted on 26.02.2024 for cross continuation of PW1. According to the petitioner, he has purchased the 2nd item of the suit property from the first defendant and in view of the pendency of the case, he cannot utilize the property. Further, the plaintiff and other defendants are dragging the suit, however the Trial Court, has failed to consider the same, and periodically adjourned the matter, without any progress. Therefore, the petitioner sought direction of this court to the Trial Judge for speedy disposal of the case within a time frame.

3. 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.”



Crp No.155 of 2024

WEB COPY

4. 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 219.

5. Considering the pendency of the cases and also taking note of the fact that the suit is pending for cross continuation of PW1, for such a long period, without any progress, the learned Principal District Munsif, Thiruchengode is directed to dispose of the O.S.No.296/2015, within six months from the date of receipt of a copy of this order.

6. With the above direction, the Civil Revision Petition is disposed of.
No costs.

19.02.2024

Index:Yes/No
Internet:Yes/No
mst

To

The Principal District Munsif, Thiruchengode.



WEB COPY



Crp No.155 of 2024

V.SIVAGNANAM, J.

mst

CRP No.155 of 2024

19.02.2024