



WEB COPY



C.R.P. (PD) No.2953 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 30.07.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR**

**C.R.P. (PD).No.2953 of 2024**

Jayanthi

... Petitioner

Vs.

Suresh @ Krishnan

... Respondent

**Prayer:** Civil Revision Petition filed under Article 227 of the Constitution of India to direct the Principal District Judge, Tiruvarur to dispose the suit in O.S.No.45 of 2018.

For the Petitioner : Ms.B.Yoga Priya

**O R D E R**

Seeking direction to the learned Principal District Judge, Tiruvarur, to dispose of the suit in O.S.No.45 of 2018, the present petition has been filed by the petitioner.

2. The petitioner / plaintiff filed a suit in O.S.No.45 of 2018 seeking for declaration and possession of the suit property. The defendant failed to appear before the Trial Court even after receipt of summons. Hence, he was



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set as exparte on 04.02.2018. Thereafter, to set aside the exparte decree, the defendant filed an application and the same was allowed.

3. Before the Trial Court, the plaintiff examined himself as P.W.1 and exhibits were marked and subsequently, plaintiff side evidence was closed. Thereafter, I.A.No.4 of 2023 was filed by the respondent / defendant to reopen and recall the P.W.1 for further cross examination and the same was also allowed.

4. Thereafter, the respondent / defendant cross examined the P.W.1 and the matter stands adjourned to 10.08.2023. Earlier on the side of the defendant, two witnesses were examined. From 17.08.2023, the suit stands posted for arguments, periodically. Arguments on the side of the plaintiff advanced. For defendant side arguments, from 17.11.2023, the case stands adjourned periodically.

5. Finally, I.A.No.7 of 2024 filed by the defendant also allowed on 09.02.2024 and the case was posted on 20.02.2024 for defendant side further evidence. Thereafter, on the request of the defendant, the case has



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been time and again adjourned to various dates. Therefore, the suit proceedings have been stalled. Thus, the petitioner / plaintiff seeks direction from this Court to complete the suit in O.S.No.45 of 2018.

6. On 10.08.2023 and on 17.08.2023, the case stands posted for both side arguments. Thereafter, for more than 25 hearings, the defendant has filed interlocutory applications one by one and kept the matter pending. Even on the last two occasions, i.e., on 28.06.2024 and 10.07.2024, the case stands adjourned for defendant side further evidence.

7. In view of the above facts and circumstances of the case, this Civil Revision Petition is disposed of. The learned Principal District Judge, Tiruvarur, before whom the suit in O.S.No.45 of 2018 is pending is directed to dispose of the same, after hearing the plaintiff if required and the defendant, within a period of three months from the date of receipt of a copy of this order. No costs.

30.07.2024

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Index: Yes/ No

Internet: Yes/ No

Speaking Order/ Non Speaking Order

Neutral citation: Yes/No



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**M.NIRMAL KUMAR,J.**  
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To  
The Principal District Judge  
Principal District Court, Tiruvarur.

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