



WEB COPY



CRP No.704 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2024

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRP No.704 of 2024

1.D.Jayalakshmi
2.D.Baskar
3.D.Shanmugam

... Petitioners

Vs.

1.Varalakshmi
2.V.Vanaja
3.D.Saraswathi
4.C.Leela Chandrasekar
5.D.Dhandapani
6.M.Ganesan
7.M.Perumal
8.V.Shanthi
9.B.Devi
10.U.Usha
11.Narendrakumar Kothari
12.Pushpa Kothari

...Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to issue a direction for a speedy disposal of the suit in O.S.No.2091 of 2020 on the file of VII Additional City Civil Court, Chennai.



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For Petitioners : Mr.S.Illamvaludhi

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ORDER

This Civil Revision Petition has been filed to direct the VII Additional City Civil Court, Chennai to dispose the the suit in O.S.No.2091 of 2020.

2. The petitioners are defendants. First respondent is the plaintiff and the respondents 2 to 12 are the defendants 4 to 14 in O.S.No.2091 of 2020, on the file of the VII Additional City Civil Court, Chennai. The first respondent has filed a suit in O.S.No.2091 of 2020 for partition, declaration and permanent injunction.

3. According to the petitioners, the suit itself is a vexatious and not maintainable. Some of the defendants in the suit become ex-parte and some of the defendants filed restoration petition. He further submitted that for more than three years, the suit is adjourned without any valid reason. Hence, the trial Court may be directed to dispose of the above O.S.No.2091 of 2020 as expeditiously as possible.



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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 Maharastra*** 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 Family Court, Chennai is 10,319.

V.SIVAGNANAM, J.

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6. Considering the pendency of the cases and also taking into account that the civil dispute is pending between the parties, the learned VII Additional City Civil Court, Chennai is directed to dispose of the suit in O.S.No.2091 of 2020 on merits, within four months from the date of receipt of a copy of this order.

7. With the above direction, the Civil Revision Petition is allowed.

No costs.

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Index: Yes/No
Internet: Yes/No
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To
The VII Additional City Civil Court, Chennai.

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