



CRP.No.4653 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 19.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

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1.Kannammal
2.Lakshmi
3.Ramakrishnan
4.Chandrasekaran
5.Jayaraj
6.Natarajan
7.Rajagopal
8.Devaraj
9.Vasanthakumar
10.Thilagavathi

...
Vs.

Petitioners

1.K.N.Govindarajulu
2.Ranganayaki
3.G.Mohanraj
4.Narendran
5.Thiyagarajan
6.Indira Gandhi
7.Sathyapriya
8.Venkatesh Ambal Traders
9.R.Ganeshkumar
10.M/s.Karuppar Medicals

...

Respondents

Prayer: Civil Revision Petition has been filed under Article 227 of Constitution of India to dispose of the above suit in O.S.No.136/2022 on the file of the V Additional District Judge, Coimbatore as early as possible.



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For Petitioners : Mr. C.Deivasigamani

ORDER

This civil revision petition has been filed to dispose of the above suit in O.S.No.136/2022 on the file of the V Additional District Judge, Coimbatore as early as possible.

2.The learned counsel appearing for the petitioners submitted that the respondents are the defendants and the petitioners are the plaintiffs and they have filed the suit in O.S.No.136 of 2022 before V Additional District Judge, Coimbatore, in which, the petitioners filed I.A.No.4 of 2022 to hear the case at an early date but the trial Judge dismissed the petition on 31.10.2022 and should not be given an opportunity to the petitioners. They have suffered lot of age related diseases and all are more than 50 years above. Unless this case is disposed of at an early disposal, the petitioners cannot enjoy the legal rights of the properties during their life time. Hence, the petitioners by way of the present civil revision petition sought a direction of this court to the Trial Judge to dispose the case as early as possible.



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3.I have considered the matter in the light of the submission made by the learned counsel appearing for the petitioners.

4.On verification through e-filing, the total pendency of the trial Court is 2092. With regard to the speedy disposal of pending cases in the Court, 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* held 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.Considering the pendency of the case before the trial Court and the decision of 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*, no time bound order can be passed for disposal of the case. However, considering the age of the petitioners and the nature of the suit, this Court directs the learned V Additional District Judge,



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Coimbatore to dispose the case in O.S.No.136 of 2022 as early as possible after affording an opportunity to both the parties.

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

No costs.

Index: Yes/No
Internet: Yes/No
sms

19.01.2024

To

The V Additional District Judge, Coimbatore.

V.SIVAGNANAM, J.

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