



WEB COPY



Crp No.570 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 06.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

CRP No.570 of 2024

1. Ponnammal @ Rajavalli
2. Hari Krishnan

... Petitioners

Vs.

Dayalan

... Respondent

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India to direct the learned II Additional District Munsif, Pondicherry, to dispose of the original suit in O.S.No.397/1997, within a time frame, as fixed by this court.

For Petitioners : Mrs.V.Pavithra Devi

for Mr.K.Sasindran

ORDER

This Civil Revision Petition has been filed to direct the learned II Additional District Munsif, Pondicherry, to dispose of the original suit in O.S.No.397/1997, within a time frame, as fixed by this court.

2. The petitioners herein are the plaintiffs and the respondent herein is



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the defendant in the above said suit, which was filed for permanent injunction, restraining the defendant from interfering with the peaceful possession and enjoyment of the suit property. According to the petitioners, though the counsel for the petitioner is ready to argue the matter, the trial court is adjourning the matter for arguments and clarification for the past two years. The status of the case shows that, the case is periodically adjourned for argument from 13.10.2023.

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 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.”

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 1125.

5. Considering the pendency of the cases and also taking note of the



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fact that the above suit is of the year 1997 and it has been adjourned by the Trial Court, without any reason, the learned II Additional District Munsif, Pondicherry is directed to dispose of the suit in O.S.No.397/1997, ***within a period of two 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.

06.03.2024

Index:Yes/No
Internet:Yes/No
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To

The II Additional District Munsif, Pondicherry.



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V.SIVAGNANAM, J.

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