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Crp No.403 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 01.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

CRP No.403 of 2024

Suguna

... Petitioner

Vs.

1. A.Gajendiran
2. Bakthavatchalu
3. S.Dhanraj
4. Dhanalakshmi
5. Narayanan
6. Gokulraj

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India to direct the learned Subordinate Judge, Tirupattur to dispose of the O.S.No.33/2020, within a time frame as fixed by this Court.

For Petitioner : Mr.T.Dharani

ORDER

This Civil Revision Petition has been filed to direct the learned Subordinate Judge, Tirupattur to dispose of the O.S.No.33/2020, within a time frame as fixed by this Court.

2. The petitioner herein is the second defendant and the first



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respondent herein is the plaintiff in the above said suit, which was filed seeking declaration of right and title over the suit property and consequential permanent injunction, restraining the defendants from alienating or encumbering any portion of the suit property. According to the petitioner, she is suffering from many health issues and though the suit is of the year 2020, trial is not yet begin. Hence the petition.

3. The status of the above case shows that, it is pending from 20.1.2023 to 30.07.2023 for filing written statement and thereafter pending from 11.8.2023 to 5.10.2023 for framing of issues. Now the suit is pending, since the interlocutory application is filed.

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 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.”

5. Further, pursuant to the direction of this Court, the Registry, on



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verification through e-filing, has reported that the total pendency of the cases in the above Court is 829.

6. Considering the pendency of the cases and also taking note of the fact that the suit is of the year 2020, the learned Subordinate Judge, Tirupattur is directed to dispose of the suit in O.S.No.33/2020, ***within six months from the date of receipt of a copy of this order.***

7. With the above direction, the Civil Revision Petition is disposed of.

No costs.

01.03.2024

Index: Yes/No
Internet: Yes/No
mst

To

The Subordinate Judge, Tirupattur.



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V.SIVAGNANAM, J.

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