



C.R.P.No.294of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2024

CORAM

THE HONOURABLE MR. JUSTICE V. SIVAGNANAM

Civil Revision Petition No.294 of 2024

Chandrassekar(deceased)

1. Panjamiraman
2. Govindaraj
3. Malliga
4. Pradeep

...

Petitioners

Vs

1. Pappal
- Perumayee
2. Lakshmi
3. Peragounder
4. Kumaran
5. Shanmugam
6. Sivalingam
7. Gayathri

1/6



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8. Mahalakshmi
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... Respondents

Prayer: Civil Revision Petition has been filed under Article 227 of the Constitution of India to direct the Hon'ble District Munsif Court, Sankari, Salem District for the speedy disposal of the suit in O.S.No.89 of 2010.

For Petitioner : Mr B. Govindaprabu

ORDER

The present civil revision has been filed to direct the learned District Munsiff, Sankari, Salem District to dispose the O.S.No.89 of 2010 .

2. The learned counsel for the revision petitioners submitted that the petitioners herein are defendants 1 to 5 and, respondents 1 to 6 are plaintiffs and respondents 7 and 8 are defendants 7 and 8 in O.S.No.89 of 2010 pending on the file of the District Munsif Court, Sankari, Salem. The said suit was filed for declaration declaring the respondents 1 to 6/plaintiffs are absolute owners of the suit property and consequential permanent injunction restraining the defendants from interfering with the plaintiffs' peaceful possession and



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enjoyment of the suit property and the same is pending from the year 2010.

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Hence, the petitioners by way of the present civil revision petition sought direction of this court to the Trial Judge to dispose the case within a stipulated time.

3. I have considered the matter in the light of the submission made by the learned counsel appearing for the petitioner and perused the material available on record.

4. On perusal of the case status, it is noticed that after examination of the plaintiffs' side evidence I.A.No.11 of 2023 has been filed for amendment of plaint, which was allowed and additional written statement was also filed and now the case is posted on 14.02.2024. With regard to the 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-



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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 Maharastra*, no time bound order can be passed for disposal of the case. However, considering the fact that since the matter is pending from the year 2010, this Court directs the learned District Munsiff, Sankari, Salem District, to dispose the O.S.No.89 of 2010 within a period of four months from the date of receipt of a copy of this order.

6.With the above direction, the Civil Revision Petition is allowed. No costs.

12.02.2024

Index: yes/no
Internet:yes/no
mrp



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To
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The District Munsif,
Distrit Munsif Court,
Sankari, Salem District.



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V. SIVAGNANAM, J.

mrp

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