



C.R.P.(MD)No.15 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

C.R.P.(MD)No.15 of 2024

S.Revathi

... Petitioner/Plaintiff

Vs.

Krishnaboi (Died)

1.Sudhakaran

2.Premkumar

... Respondents/Defendants

PRAYER : Civil Revision Petition is filed under Article 227 of Constitution of India, to direct the learned Principal District Judge, Dindigul, to dispose the original suit in O.S.No.309 of 2020 on the file of the Principal District Judge, Dindigul, within the time stipulated by this Court.

For Petitioner : Mr.J.Anandkumar

ORDER

This civil revision petition has been filed seeking learned Principal District Judge, Dindigul, to dispose the original suit in O.S.No.309 of 2020 on the file of the Principal District Judge, Dindigul, within the time



C.R.P.(MD)No.15 of 2024

stipulated by this Court.

WEB COPY

2.Suit in O.S.No.309 of 2020 has been filed by the revision petitioner as plaintiff seeking recovery of money from the defendant. Pending the suit, the first respondent was reported to be dead and his legal heir was brought on record as third defendant. Now it is posted for steps for amendment. The learned counsel for the petitioner would submit that the plaint mentioned property belongs to the first and second defendants. They have agreed to sell their property to the plaintiff for a sum of Rs.1,72,59,068/-. But, without any sale agreement, the plaintiff given a sum of Rs.40,00,000/- to the defendants as advance amount. They have issued a receipt as acknowledgment. Thereafter, while verifying with E.C, the plaintiff came to know that the suit property is the subject property of O.S.No.263 of 1982 on the file of the Additional District Munsif, Dindigul and A.S.No.109 of 1994 on the file of the Sub Court, Dindigul. He was cheated by the defendants 1 and 2. Hence police complaint was given, which was registered in Crime No.865 of 2020 for the offences punishable under Sections 406 and 420 of IPC. For which, they moved anticipatory bail before the Principal District Court,



C.R.P.(MD)No.15 of 2024

Dindigul, by giving an undertaking to settle the above said amount.

But they did not do so. It appears that they have simply drag on the proceedings. Hence, the suit was filed for recovery of money. The grievance of the petitioner is that though the suit was filed in the year 2020, it was simply adjourned without any progress.

3.It appears that the grievance of the petitioner is genuine in nature. On that ground, there shall be a direction to the trial Court to dispose of the suit in O.S.No.309 of 2020, within a period of **five** months from the date of receipt of a copy of this order.

4.With the above said direction, this civil revision petition stands disposed of.

05.01.2024

Index : Yes / No

Internet : Yes / No

TM

To

1.The Principal District Judge, Dindigul.

2.The Section Officer,
E.R.Section/V.R.Section,
Madurai Bench of Madras High Court, Madurai.

3/4



WEB COPY



C.R.P.(MD)No.15 of 2024

G.ILANGO VAN,J.

TM

C.R.P.(MD)No.15 of 2024

05.01.2024