



C.R.P.(MD)No.250 of 2024

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DATED: 06.02.2024

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.250 of 2024

Sundaram

... Petitioner/
Plaintiff

Vs.

1. Rajadurai
2. Radha
3. Manimaran
4. Minor Pranish Bala
5. Minor Preethika Shree
6. Kanagam
7. Pandidurai
8. Kumar
9. Nataraj
10. Selvi

... Respondents/
Defendants



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Prayer : This Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned District Judge, Sivagangai to expedite the hearing in O.S.No.63 of 2020 on its file and dispose of the same within the time frame fixed.

For Petitioner : Mr.R.Balakrishnan

ORDER

The Civil Revision Petition has been filed seeking a direction to dispose of the suit in O.S.No.63 of 2020, pending on the file of the Principal District and Sessions Court, Sivagangai, within a specified time fixed by this Court.

2. I have heard the learned counsel appearing for the revision petitioner. Since the revision petition is filed for early disposal of the case, the issuance of notice to the respondents is not necessary.

3. The revision petitioner as plaintiff has filed the suit in O.S.No.63 of 2020, claiming relief of partition against the respondents.

4. The learned counsel appearing for the revision petitioner would submit that in the suit, summons was ordered to the respondents and after



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receiving the summons, the respondents 1 and 6 appeared through advocate and the remaining respondents remained *ex parte*, that the respondents 1 and 6 filed their written statement and thereafter, the case is being adjourned again and again, that the revision petitioner is a senior citizen and that therefore, the trial has to be expedited.

5. The fact remains that the suit was filed in the year 2020. The High Court has already issued circulars to the District Judiciary, directing the Courts to give priority for the cases relating to Senior Citizens, HIV affected persons, Defence Personnel, Women and Children, more than 5 year old cases etc., It is to be noted that the revision petitioner, without approaching the trial Court, has directly come forward with the present Revision Petition before this Court, seeking early disposal. In the absence of total pendency particulars and the work burden of that particular Court, this Court is not inclined to give any direction to dispose of the case within a specified period of time. Generally, the trial Court is required to give priority to the cases, as per the circulars of this Court.

6. As rightly pointed out by the learned counsel appearing for the revision petitioner, the revision petitioner is a senior citizen. In view of the



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above, the revision petitioner is at liberty to approach the trial Court and if such requisition for speedy disposal is made, the trial Court is required to consider the urgency for early trial, in the light of the circulars issued by this Court and on the ground of senior citizenship.

7. With the above observation and direction, the Civil Revision Petition is disposed of. No costs.

06.02.2024

NCC :yes/No
Index :yes/No
Internet:yes/No
csm

To

1. The Principal District and Sessions Court,
Sivagangai.
2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
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