



C.R.P.(MD)No.501 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2024

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.501 of 2024

J.Mariyaselvam : Petitioner/Defendant

Vs.

V.Savithri : Respondent/Plaintiff

Prayer : This Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned District Munsif, Periyakulam, Theni District to dispose of the suit in O.S.No.53 of 2020 within a time frame stipulated by this Court.

For Petitioner : Mr.S.Vikram

ORDER

The Civil Revision Petition has been filed seeking a direction to dispose of the suit in O.S.No.53 of 2020, pending on the file of the learned District Munsif, Periyakulam, Theni District, within a time frame stipulated by this Court.



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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 respondent is not necessary.

3. The respondent, as plaintiff has filed the suit in O.S.No.53 of 2020, for permanent injunction restraining the defendant therein from interfering with the peaceful possession and enjoyment of the suit property.

4. The learned counsel appearing for the revision petitioner would submit that though the suit has been filed in 2020, till date there is no finality arrived, that the respondent/plaintiff is not co-operating with the trial Court to conduct the trial and that therefore, the trial has to be expedited.

5. The fact remains that the suit was filed only 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,



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more than 5 year old cases etc., It is to be noted that the revision petitioners, without approaching the trial Court, have 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.

6. However, the trial Court is required to give priority to the cases, as per the Circulars of the High Court. The revision petitioner is at liberty to approach the trial Court and if such requisition for early disposal of the case is made, the learned trial Judge is required to consider the urgency for early trial, in the light of the circulars issued by this Court.

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

26.02.2024

NCC :yes/No
Index :yes/No
Internet:yes/No
das



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K.MURALI SHANKAR,J.

das

To

- 1.The District Munsif, Periyakulam,
Theni District.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.

Order made in
C.R.P.(MD)No.501 of 2024

Dated : 26.02.2024