



C.R.P(MD)No.3390 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

C.R.P(MD)No.3390 of 2023

S.Kasidurai

.. Petitioner/Plaintiff

Vs.

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Tahsildar,
Eral Taluka, Eral,
Thoothukudi District.

3.The Divisional Engineer,
Highways Department,
Thoothukudi.

4.The Executive Engineer,
Alwarthirunagari Town Panchayat,
Alwarthirunagari.

5.The Assistant Engineer,
TANGEDCO,
Alwarthirunagari.

6.Isac Packiyaraj

7.Rajan

.. Respondents/ Defendants



C.R.P(MD)No.3390 of 2023

WEB COPY

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned Subordinate Judge, Srivaikundam to dispose of the suit in O.S.No.177 of 2021 pending on his file, within a time limit to be fixed by this Court.

For Petitioner : Mr.J.Antony Jesus

ORDER

This petition has been filed by the petitioner seeking direction to the trial Court to dispose of the suit in O.S.No.177 of 2021 pending on the file of the Sub Court, Srivaikundam, within a time frame.

2. The grievance of the petitioner is that he filed the suit in O.S.No. 177 of 2021 seeking permanent injunction. The 6th defendant filed some frivolous petition for getting adjournment. The 6th defendant filed IA.No.2 of 2022 for rejection of plaint to drag on the proceedings of the Court and the trial Court also adjourned the IA without any valid reasons and after dismissal of the IA.No.2 of 2022, the 6th defendant filed IA.No.4 of 2023 and IA.No.5 of 2023 with an intention to drag on the proceedings in the suit. The trial Court did not consider the fraudulent



C.R.P(MD)No.3390 of 2023

intention of the 6th defendant and adjourned the case. Since the petitioner is aged about 63 years now and comes under the category of senior citizen, he approached this Court for speedy disposal of the suit.

3. The learned counsel for the petitioner submitted that since the petitioner is aged about 69 years and comes under the senior citizen's category, it would be suffice if a direction is issued to the trial Court to expedite the trial process in O.S.No.177 of 2021 and dispose of the same within a time stipulated by this Court.

4. Heard the learned counsel for the petitioner and perused the materials available on record.

5. The above said grievance of the petitioner appears to be genuine one. The petitioner is aged about 63 years and also a senior citizen. Considering the above said limited request made by the learned counsel for the petitioner, there shall be a direction to the learned Sub Judge, Srivaikundam, to dispose the suit in O.S.No.177 of 2021 within a period of five months from the date of receipt of a copy of this order. The trial Court shall follow the directions issued by this Court in R.O.C.No.



C.R.P(MD)No.3390 of 2023

3793A/2010/B5/Statistics dated 11.08.2010 wherein the trial Courts are directed to expedite the trial process in the Senior Citizens cases. There shall be no orders as to costs.

22.01.2024

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
PJL

To

1. The Sub Judge, Srivaikundam.

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



WEB COPY



C.R.P(MD)No.3390 of 2023



WEB COPY



C.R.P(MD)No.3390 of 2023

G.ILANGO VAN, J.

PJL

C.R.P(MD)No.3390 of 2023

22.01.2024