

C.R.P.No.386 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2025

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

C.R.P.No.386 of 2025

1.R.Shravan Narayan

2.P.Mohana

...Petitioners

Vs

S.Swaminathan

...Respondent

PRAYER :- Civil Revision Petition is filed under Article 227 of the Constitution of India, pleaded to direct the Sub Court, Alandur to decide the Suit in O.S.No.67 of 2023 expeditiously and dispose the same within the time to be stipulated by this Court and thus render justice.

For Petitioners : Mr.R.Ravagendran

ORDER

Seeking an early disposal of O.S.No.67 of 2023 pending on the file of the Sub Court, Alandur, the plaintiffs are before this Court.

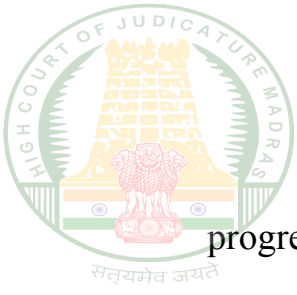
2.A perusal of the records would indicate that originally the suit



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was instituted on the file of the XX Assistant Judge, City Civil Court, Chennai, and numbered as O.S.No.6309 of 2021. After the completion of chief examination of D.W.1, a transfer petition had been filed before this Court in Tr.C.M.P.No.1170 of 2022 and by order dated 21.12.2022, the matter was directed to be transferred to the Subordinate Court, Alandur. The suit on being transferred to the Sub Court, Alandur. Thereafter, it was re-numbered as O.A.No.67 of 2023 and since the D.W.1 did not present himself for cross examination on 08.12.2023 the evidence of D.W.1 was eschewed and the matter was posted for arguments. The plaintiff's side arguments were concluded and written arguments were also filed. At this juncture the defendants had taken out an application for recalling and reopening the evidence of D.W.1. Ultimately, the evidence of D.W.1 was concluded on 12.06.2024 and the matter was adjourned for further evidence on the side of the defendants to 26.06.2024. The defendant thereafter filed I.A.No.1 of 2024 to summon the father of the plaintiffs to give evidence and ultimately this application was dismissed for default on 18.09.2024 an application was filed to restore the same in I.A.No.2 of 2024, for which the plaintiffs had made his endorsement that he has no objection to the same being allowed. Thereafter, the learned counsel would submit that the matter is being adjourned without further



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progress. The suit has been filed as early as in the year 2021 and it is yet

to draw the light of the day.

3.Heard the learned counsel for the petitioners and perused the records.

4.Considering the above facts which clearly demonstrates the attempts to protract the proceedings, a direction is issued to the learned Subordinate Judge, Alandur, to dispose of O.S.No.67 of 2023 within a period of two months from the date of receipt of copy of this order.

5.The Civil Revision Petition is allowed with the above directions.

No costs.

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Index : Yes/No
Internet : Yes/No
Speaking Order/Non Speaking Order
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P.T.ASHA, J.

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To

The Sub Court, Alandur.

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