



C.R.P.No.6179 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.6179 of 2025

R.Asokan

... Petitioner

vs.

R.Makesh Babu

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the learned Principal District Judge, Coimbatore to dispose of the suit in C.O.S.No.87 of 2023 and old number O.S.No.106 of 2022 thereby fixing an early date within a period of six months or as mandated in the Commercial Suits Act.

For Petitioner : Mr.P.Gnana Sekaran

ORDER

The Civil Revision Petition is filed seeking a direction to the Principal District Judge, Coimbatore, to dispose of the Commercial Suit in C.O.S.No.87 of 2023 within a time frame.



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2. The petitioner herein filed a suit for recovery of moveable property (gold weighing 4,100.00 grams of 22 Crt of purity). The suit was originally filed as ordinary suit in the year 2022. Later, the same was converted as commercial suit in the year 2023.

3. It is stated by the learned counsel appearing for the petitioner that the respondent herein filed a revision in C.R.P.No.445 of 2024 to strike off the plaint and the same was dismissed for default on 22.09.2025. In the meantime, the respondent also filed an application for rejection of the plaint under Order VII Rule 11 of the Code of Civil Procedure in I.A.No.4 of 2025 and the same was dismissed by the Trial Court on merits on 19.11.2025. Since the respondent is filing petition after petition to stall the trial and the same is not yet commenced. Taking into consideration, the suit is commercial one, a direction may be issued to the Trial Court to dispose of the suit at the earliest.

4. It is seen from the adjudication papers, I.A.No.3 of 2025 is pending and therefore, the Trial Court has not taken up the suit for recording evidence. Taking into consideration the suit was filed in the year 2022 and later converted as a commercial suit in the year 2023, the Principal District



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Judge, Coimbatore is directed to dispose of commercial suit in C.O.S.No.87 of 2023, as expeditiously as possible by following the Fast Track Civil Procedure Code applicable to the Commercial Courts.

5. With the above direction, the Civil Revision Petition is disposed of.

No costs.

05.12.2025

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
dm

To

The Principal District Judge,
Coimbatore.



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S.SOUNTHAR, J.

dm

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