



C.R.P. (MD) No. 848 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2026

C O R A M

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

C.R.P. (MD) No. 848 of 2024

Mathan Kumar

... Petitioner

Vs.

1.Kallanai

2.Palaniammal

... Respondents

PRAYER: Petition filed under Article 227 of the Constitution of India to direct the First Additional District Court, Madurai to dispose of the appeal in A.S. No. 57 of 2021 against the judgment and decree in O.S. No. 1334 of 2015 dated 21.11.2020 on the file of the III Additional Subordinate Judge, Madurai as expeditiously within the time frame as may be fixed by this Court.

For Petitioner : Mr. R.Srinivasan

For R1 : No Appearance

For R2 : Died

ORDER

This Civil Revision Petition invoking Article 227 of the Constitution of India has been filed for expeditious disposal of the appeal in A.S. No. 57 of



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2021 on the file of the I Additional District Court, Madurai (hereinafter referred to as 'the Trial Court' for the sake of clarity and convenience).

2. Heard Mr. R.Srinivasan, Learned Counsel appearing for the Petitioner and perused the materials available on record.

3. In furtherance to the order dated 02.04.2024 passed by this Court, the I Additional District Court, Madurai has sent a report dated 06.06.2024, in D. No. 737/2024, which reads as follows:-

“I humbly submit that the Appeal in A.S.No.57/2021 on the file of this Court was received by transfer from Principal District Court, Madurai on 22.10.2021. The respondent/plaintiff entered appearance on 22.11.2021. The lower court records were received for the hearing 07.09.2022. At the stage of arguments, the 2nd appellant died. Since, the 1st appellant failed to implead the legal heirs of deceased 2nd appellant in time, the proceedings against the 2nd appellant had abated. Hence, I.A.No.01/2023 was filed under Order XXII Rule 9 and the same was allowed on 17.11.2023. Now, the petition under Order XXII Rule 3 C.P.C. is pending in L.A.No.03/2023 for filing counter. After disposal of this application, the 1st appellant has to take steps for amendment and thereafter, the appeal would be taken for arguments. In this case, after the



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death of the 2nd appellant, the 1st appellant has not taken immediate steps to bring the legal heirs of the deceased 2nd appellant. Further, the respondent / plaintiff has also not shown interest in filing counter then and there in I.A.No.01/2023 and L.A.No.03/2023.

I further humbly submit that the Hon'ble Madurai Bench of Madras High Court, Madurai has given direction to this Court for speedy disposal of the Sathankulam double murder case in S.C.No.470/2020 on the file of this Court, on daily basis, wherein the accused persons are in custody. Further, directions have been given by Hon'ble Madurai Bench of Madras High Court, Madurai to dispose the cases in O.S.No. 50/2015, O.S.No.217/2019, O.S.No. 183/2021, O.S.No. 483/2021 and O.S.No. 7/2020 pending on the file of this Court, within the stipulated direction period.

I further humbly submit that I was holding Full Additional Charge of III Additional District & Sessions Court (PCR), Madurai from 23.08.2023 to 31.05.2024 and now the post of III Additional District & Sessions Judge (PCR), Madurai has been filled up as per R.O.C.Nos. 16/20-Con.B2 and 2157/2024/ RG.B2 & Notification No. 188/2024 dated 09.05.2024 of Hon'ble High Court of Madras.

I therefore humbly submit that in the said circumstances, I am ready to dispose the case as expeditiously as possible.”



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4. In view of the above explanation submitted by the I Additional District Judge, Madurai, there is no necessity to issue any specific direction fixing any time frame to the Trial Court. However, it shall be ensured by the Trial Court that there is atleast one effective hearing every month showing progress of the case and quarterly reports in that regard shall be sent to the Registrar (Judicial) of the Court till final orders are passed in the case.

This Civil Revision Petition is disposed on the aforesaid terms. No costs.

21.01.2026

Index : Yes/No
NCC : Yes/No
Indu

Note: If the quarterly report is not received from the Trial Court or it is reported either of the parties are not cooperating to comply with the aforesaid order, the matter shall be listed before the Court.

To:-

1. The I Additional District Court, Madurai.
2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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N.SENTHILKUMAR, J.

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