



C.R.P. (MD) No. 1042 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2026

CORAM

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

C.R.P. (MD) No. 1042 of 2024

Mydeen Pitchai

... Petitioner

Vs.

P.Murugan

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the Principal District Munsif Court, Sankarankovil to dispose of O.S. No.195 of 2022 within a time frame that may be fixed by this Court.

For Petitioner : Mr. R.Mathava Selvam

For Respondent : Mr. P.Subbiah



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ORDER

Heard Mr. R.Mathava Selvam, Learned Counsel for the Petitioner and Mr. P.Subbiah, Learned Counsel for the Respondent and perused the materials placed on record, apart from the pleading of the parties.

2. This Civil Revision Petition under Article 227 of the Constitution of India has been filed to direct the Principal District Munsif Court, Sankarankovil (hereinafter referred to as 'the Trial Court' for short), to dispose the suit in O.S. No. 195 of 2022, within a specific period.

3. This Court, during earlier hearing on 22.04.2024, had passed the following order:-

“2. The Principal District Munsif Court, Sankarankovil shall send a report as to whether there is any impediment for conducting further proceedings in O.S. No. 195 of 2022 and if so, shall explain the reasons for the same, before the next hearing.”



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4. In furtherance to the said order, the Trial Court has sent a report dated 10.05.2024, which reads as follows:-

“I further humbly submit that the suit in O.S.No.195/2022 was filed for the of bare injunction and the suit was registered on 12.08.2022 and thereafter the defendant appeared on 12.09.2022 and filed his written statement alongwith counter claim on 02.01.2023. The plaintiff filed reply statement on 14.03.2023 and the suit was posted for reporting settlement if any to 09.06.2023.

I further humbly submit that since both parties have not replied for settlement, the suit was posted for framing of issues to 17.07.2023. Subsequently, the suit was ported for framing of Issues to 05.09.2023, 10.10.2023, 11.12.2023, 22.02.2024 and 22.04.2024

In this regard, I humbly submit that this court is taking up cases for trial on the basis of date of registration of the case. Accordingly the cases which were registered in the year 2018 was takes up for trial. This court is



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conducting cases in accordance with law and proceeding further on considering the year of the suit. Therefore, I humbly submit that there is no other impediment for conducting further proceedings in suit O.S.No. 195/2022. and this court is always ready to conduct the above case if any direction given by the Hon'ble High Court in this regard.”

As it is informed that presently the Principal District Munsif Court, Sankarankovil, is taking up 2018 cases for trial, it is not possible for the Trial Court to take a case out of turn.

5. Since it is represented by the Learned Counsel for the Petitioner that the Petitioner is 76 years old, it is left to the Petitioner to file an application under Order 26 of the Civil Procedure Code to appoint an Advocate Commissioner at his costs for recording his evidence, which shall also be videographed on his costs. If such an application is filed, the Trial Court may pass appropriate orders requiring evidence to be recorded and the shall dispose of the suit in O.S.No.195 of 2022 as expeditiously as possible.



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In the result, the Civil Revision Petition is disposed on the aforesaid terms. No costs.

21.01.2026

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

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To

- 1.The Principal District Munsif Court,
Sankarankovil.
- 2.The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.



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N.SENTHILKUMAR, J.

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