
(2011) 12 MAD CK 0270
In the Madras High Court
Case No : S.A. (MD) No. 833 of 2006

R. Pappa

APPELLANT

Vs

Tagore Nagar Kudiyiruppor Nala Sangam

RESPONDENT

Date of Decision : 19-12-2011

Acts Referred:

Citation : (2011) 12 MAD CK 0270

Hon'ble Judges : M. Venugopal, J

Bench : Single Bench

Judgement

M. Venugopal, J.—It transpires from the record that S.A. No. 833 of 2006 filed by the Appellant/Plaintiff has been disposed of by this Court, by means of a Judgment dated 08.04.2011. While allowing the Second Appeal and remitting the matter to the trial Court for fresh disposal, this Court has directed the Appellant/Plaintiff to file an amendment for declaratory relief within a period of one month from the date of receipt of a copy of the order and further, on making such application by the Plaintiff, the trial Court is directed to dispose of the matter within a period of two months thereafter.

2. The Learned District Munsif, Melur has addressed a letter in D. No. 1817 dated 30.11.2011 to the Registrar (Judicial) of Madurai Bench of Madras High Court, Madurai, wherein he has prayed for further one month time to dispose of the case.

3. A perusal of the letter dated 30.11.2011 of the Learned District Munsif, Melur goes to show that the Court has expedited the trial and the suit involves in the question of suit property etc. and that the case has been posted for examining of Advocate Commissioner on 03.12.2011. The said letter of the Learned District Munsif, Melur, dated 30.11.2011 has been forwarded to this Registry by the Learned Principal District Judge (FAC), Madurai and as per his forwarding letter dated 13.12.2011, which has been received by this Court on 14.12.2011.

4. In view of the fact that the Learned District Munsif, Melur has addressed the

letter dated 30.11.2011 to this Registry praying for extension of one month time to dispose of the case, this Court on the basis of Equity, Fair Play, Good Conscience and even as a matter of Prudence and also to prevent an aberration of justice, grants one month time from today to dispose of the case and to report compliance to this Court without fail.