

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2015

CORAM :

THE HONOURABLE Mr.JUSTICE D.HARI PARANTHAMAN

C.R.P. (PD) .No.1840 of 2014
and
M.P.No.1 of 2014

1.V.Kannammal
2.P.Rani
3.P.Perumal @ Venkatesan
4.K.Jeevarathinam
5.P.Dilli @ Srinivasan
6.R.Vasantha

....Petitioners/Respondents/
Defendants

Vs.

1.Minor R.Shali @ Dharshini
rep. by her father and natural guardian
S.Rajendran.

....1st Respondent/Petitioner/
Defendant

2.R.Navaneetham @ Yamuna @ Vanitha
3.A.Kannadasan
4.A.Kulothungan
5.K.Shanthi
6.R.Krishnamoorthy
7.G.Krishnamoorthy

...Respondents 2 to 7/Respondents/
Defendants

Prayer: Civil Revision Petition has been filed under Article 227 of the Constitution of India against the order dated 30.04.2014 made in I.A.No.226 of 2012 in O.S.No.98 of 2012 on the file of the learned Subordinate Judge, Poonamallee.

For Petitioners : Mr.M.S.Krishnan, Senior Counsel
for M/s.M.Venkateswaran

For Respondents : Mr.A.D.Jagadishchandran (For R1)

ORDER

The revision petitioners herein are the defendants 1 to 6 in the suit in O.S.No.98 of 2012 pending on the file of the learned Sub-Judge, Poonamallee. The impugned order dated 30.04.2014 in I.A.No.226 of 2012 in O.S.No.98 of 2012 was passed by the learned Sub-Judge, Poonamallee, appointing one Mr.A.Ramasamy as an Advocate Commissioner to inspect the suit property and to note down the physical features of suit 'A' & 'B' schedule properties and to file a report with sketch.

2.Now, it is stated that the suit in O.S.No.98 of 2012 has been transferred to Sub-Court at Tiruvallure by order of this Court dated 23.07.2014 in Tr.C.M.P.No.327 of 2014 and the suit has been renumbered as O.S.No.133 of 2014 on the file of the Sub-Court at Tiruvallure.

3.Hence, this Court directs the Sub-Court, Tiruvallure to appoint an Advocate Commissioner from the Tiruvallure Bar, in the place of Mr.A.Ramasamy, who was appointed by the Sub-Court at Poonamallee. The impugned order dated 30.04.2014 is modified only to the above said extent. In all other respects, the impugned order stands unaltered.

4.Earlier, while ordering for transfer of the suit from the file of the Sub-Court at Poonamallee to the file of Sub-Court at Tiruvallure, this Court directed the Sub-Court at Tiruvallure to dispose of the suit within a period of six months. Now, it is represented by the learned senior counsel appearing for the revision petitioners that considering the nature of pleadings and other issues involved in this matter, it will require minimum 2 to 2 ½ years to dispose of the suit. Taking into consideration the nature of pleading and the other issues involved in this matter, I am of the view that it will take at least 1 ½ years to dispose of the suit. Hence, a direction is issued to the Sub-Court at Tiruvallur to dispose of the suit within a period of 1 ½ years from the date of receipt of a copy of this order.

With the above terms, the Civil Revision Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ssv

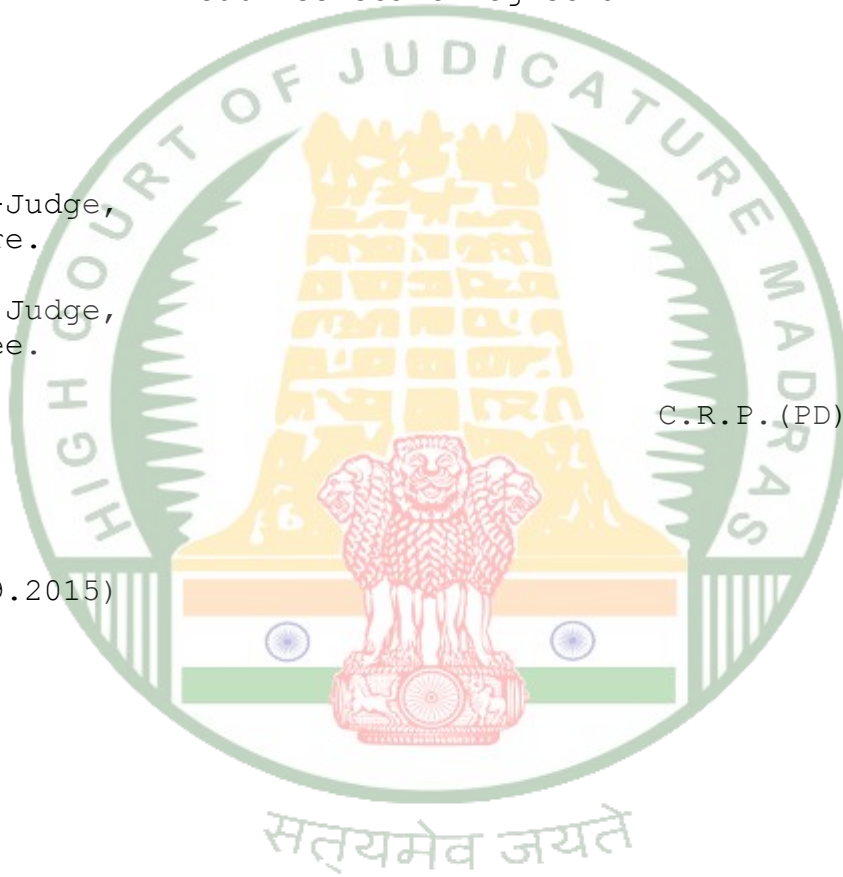
To

1.The Sub-Judge,
Tiruvallure.

2.The Sub Judge,
Poonamallee.

C.R.P.(PD).No.1840 of 2014
and
M.P.No.1 of 2014

BVR (CO)
PSI (03.09.2015)



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