

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2015

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.R.P.(PD) NO.1340 OF 2015

M.Dharani Ammal ... Petitioner

Vs.

1.K.A.Ethiraju
2.K.A.Yogiswaran
3.K.A.Bukmangathan
4.Rajalakshmi
5.Yasodha ... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India with a prayer to direct the learned District Munsif, Chengalpattu to dispose of final decree application in I.A.No.316 of 2000 in O.S.No.203 of 1986 within a time frame.

For Petitioner : Mr.V.Subramanian

ORDER

Heard the submissions made by Mr.V.Subramanian, learned counsel for the petitioner and perused the materials available on record.

2.This Civil Revision Petition is filed praying for a direction to the learned District Munsif, Chengalpattu to dispose of I.A.No.316 of 2000 in O.S.No.203 of 1986 within a time frame.

3.It is seen that the petitioner had instituted the suit against the respondents in O.S.No.203 of 1986 for partition claiming 1/6th share in the suit property and for separate possession. A preliminary decree was passed on 10.12.2000 and the same was confirmed by the Additional Sub Court, Chengalpattu in A.S.No.17 of 1994 on 04.01.1996. Thereupon, the petitioner filed the application in I.A.No.316 of 2000 for passing of final decree.

3.Mr.V.Subramanian, learned counsel for the petitioner submitted that in the final decree application, an Advocate Commissioner was appointed as early as on 18.11.2002 and the Advocate Commissioner has also filed his interim report on 06.03.2003. Even then, the final decree application could not be disposed of due to the dilatory tactics adopted by the respondents. The learned counsel further submitted that the delay causes mental agony and hardship to the petitioner.

4.Considering the facts of the case and the submissions of the learned counsel for the petitioner, the learned District Munsif, Chengalpattu is

directed to dispose of I.A.No.316 of 2000 in O.S.No.203 of 1986, on merits and in accordance with law, as expeditiously as possible, preferably on or before 31.07.2015.

5.This Civil Revision Petition is disposed of with the above direction. No costs.

31.03.2015

Index : Yes/No
Internet : Yes/No
TK

To

The District Munsif
Chengalpattu.

K.KALYANASUNDARAM, J.
TK

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