

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2015

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

C.R.P.(NPD)No.3804 of 2015

Rajasekaran

... Petitioner

v.

1.Santha
2.Natarajan
3.Chandrasekaran
4.Murugan
5.Kalaiarasan
6.Kamalakannan

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the Principal II Additional Subordinate Judge, Villupuram to dispose of the I.A.No.115 of 2014 in O.S.No.100 of 2012 on merits as soon as possible within a reasonable period to be stipulated by this court.

For Petitioner : Ms.V.Suguna

ORDER

The plaintiff in O.S.No.100 of 2012 on the file of II Additional Subordinate Court , Villupuram has filed the above Civil Revision Petition to direct the Trial Court to dispose of the final decree application in I.A.No.115 of 2014 in O.S.No.100 of 2012, within a stipulated time.

2. The revision petitioner-plaintiff filed the suit in O.S.No.100 of 2012 for partition.

3. By a judgment and decree dated 2.11.2013, the Trial court passed a preliminary decree. Pursuant to the preliminary decree passed in O.S.NO.100 of 2012, the petitioner filed an application in I.A.No.115 of 2014 for passing of final decree.

4. The learned counsel appearing for the petitioner submitted that though the application was filed in the year 2014, the Trial Court has not disposed of the same yet. Further, the learned counsel submitted that in view of the long pendency of the final decree application, the plaintiff is put to hardship and prejudice.

5. Having regard to the submission made by the learned counsel appearing for the revision petitioner and also taking into consideration the limited prayer sought for in the Civil Revision Petition, without expressing any opinion with regard to the merits of the case, I direct the II Additional Subordinate Court , Villupuram to dispose of the final decree application in I.A.No.115 of 2014 in O.S.No.100 of 2012, on merits and in accordance with law, within a period of four months from the date of receipt of a copy of this order.

With this observation, the Civil Revision Petition is disposed of. No costs.

02.11.2015

Index : Yes/No

Rj

To

The II Additional Subordinate Court ,
Villupuram

M. DURAISWAMY,J.,

Rj

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