



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.DEVADASS

C.R.P.(PD) (MD) No.1610 of 2015

Dr.T.Muralidharan

: Petitioner/Respondent

Vs.

T.Parthasarathy

: Respondent/Appellant

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to pass an order directing the Court below (Principal District Court Kanyakumari at Nagercoil) to dispose the Appeal Suit in A.S.No.12 of 2013 within a time stipulated by this Court.

For Petitioner : Mr.D.Nallathambi

#### ORDER

This Civil Revision Petition is filed by the respondent in the Appeal Suit for quick justice.

2. Heard the learned counsel for the revision petitioner.

3. The partition suit among kith and kin is a source for creating strained relationship between themselves. Before the property being actually divided, brothers will get divided. It is one source, which creates foes in the same family. Settling the issues at the earliest will prevent further heart burning among them.

4. In this case, the learned counsel for the petitioner, who is the respondent in the Appeal Suit, submits that because of the pendency of the Appeal Suit, in every minute and every day the petitioner is undergoing excruciating mental pain.

5. There is increase of cases. We cannot cry in the wilderness. Something has to be done. Rome is not built in a day. We have to do little by little. Quick disposal of the Appeal Suit may give huge advantage of depleting of the arrears of cases. Quick disposal really will enure benefit to both sides as they will be sure of their standing by a judicial determination. Actually, the petitioner is asking the minimum relief of speedy disposal. There is no reason to deny this.

6. In the circumstances, , the learned Principal District Judge, Kanyakumari District at Nagercoil is directed to dispose of the Appeal Suit in A.S.No.12 of 2013 after giving reasonable opportunity to both sides preferably within a period of two months from the date of receipt

