

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Civil Revision Petition (PD) No.2624 of 2016

and

C.M.P.No.13531 of 2016

T.V.Durai
S/o.Varadharajam Pillai

... Petitioner

vs

1.Malathi Rani

2.R.Elangovan
S/o.Ranganathan

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India against the order of learned II Additional Sub-ordinate Judge, Villupuram, passed in I.A.No.107 of 2015 in S.O.P.No.71 of 2004 on 20.06.2016.

For Petitioners : Mr.T.Dhanasekaran

ORDER

This revision arises against the order of learned II Additional Subordinate Judge, Villupuram, passed in I.A.No.107 of 2015 in S.O.P.No.71 of 2004 on 20.06.2016.

2. Petitioner has moved S.O.P.No.71 of 2004 on the file of learned II Additional Subordinate Judge, Villupuram, for issuance of Succession Certificate to the estate of his elder brother by name Vasudevan. Respondents had, in their counter, informed of the petitioner being the murderer of the said Vasudevan. Petitioner moved I.A.No.107 of 2015 seeking deletion of paragraph No.5 of the counter which contained such allegation. The Court below, under the impugned order, dismissed such application. Aggrieved, petitioner has preferred the present revision.

3. Heard learned counsel for petitioner.

4. In dismissing the application, the Court below has observed that the petitioner has no right to seek deletion of paragraph No.5 of the counter and the same could be decided only after arriving at a decision in the main petition. This Court does not find any reason to interfere with the order under

challenge.

The Civil Revision Petition is dismissed. However, taking note of the position that the S.O.P.No.71 of 2004 has been pending from the year 2004, this Court directs learned II Additional Subordinate Judge, Villupuram, to dispose of the same within a period of one month from the date of receipt of this order. No costs. Connected miscellaneous petition is closed.

01.09.2016

Note to office:

Issue order copy by 02.09.2016

Index:yes/no

Internet:yes

gm

To

The II Additional Sub-ordinate Judge,
Villupuram.

C.T.SELVAM, J

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