

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Civil Revision Petition (PD) No.4004 of 2009
and
M.P.Nos.1 of 2009 & 1 of 2010

1.Zubeida Bee @ Kathija Bee

2.Baxit Baig

... Petitioners

vs

1.M.Sundaram @ Sundaram Angamuthu

2.Nawab Baig

3.Sethi Baig

Ahmed Baig (Deceased)

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India against the order of learned II Assistant City Civil Judge, Chennai, passed in I.A.No.867 of 2009 in O.S.No.9895 of 1994 on 07.10.2009.

For Petitioners : Mr.V.Babu
For Respondents : Mr.A.R.Karunakaran
for K.Newlin Frederick [R1]
Mr.B.Kaalathinathan [R2]
Mr.Inamdar Ameenur Rahman [R3]

ORDER

This revision arises against the order of learned II Assistant City Civil Judge, Chennai, passed in I.A.No.867 of 2009 in O.S.No.9895 of 1994 on 07.10.2009.

2. Heard learned counsel for petitioners and learned counsel for respondents.

3. The order of the Court below reads thus:

“Heard. Since the petitioner purchased undivided share of the one of the co-sharer. Hence to get his share from the whole property, he is necessary party and filed the petition. Respondent counter perused. No valid grounds putforth. Hence petition is allowed for proper adjudication without costs.”

This Court finds no error in the order under challenge.

The Civil Revision Petition is dismissed. Any application moved by the first respondent, who now is a party in the action, will be dealt with by the Court below on merits. Considering the position informed by learned counsel for first respondent that the first respondent/impleaded fifth defendant is 99 years old, the Court below is directed to deal with the case with utmost dispatch and complete the proceedings within a period of six months from the

date of receipt of this order. No costs. Consequently, connected miscellaneous petitions are closed.

18.07.2016

(1/3)

Index:yes/no
Internet:yes
gm

To

The II Assistant City Civil Judge,
Chennai.

C.T.SELVAM, J

gm

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(1/3)