



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.12.2016

CORAM:

WEB COPY

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P(MD)No.2483 of 2016 (PD)

N.Gopalakrishnan

.. Petitioner/Plaintiff

Vs.

1.N.Lakshmi

2.N.Sakthivadivel

3.N.Muruganantham

..Respondents/Defendants

PRAYER: Civil Revision Petition is filed, under Article 227 of the Constitution of India, to direct the Subordinate Judge, Palani to dispose of the suit in O.S.No.40 of 2011, on his file as expeditiously as possible fixing a time limit, allowing the Civil Revision Petition.

For Petitioner : Mr.T.Muthuvel

ORDER

The petitioner has filed this Civil Revision Petition to direct the Subordinate Judge, Palani to dispose of the suit in O.S.No.40 of 2011, on his file as expeditiously as possible fixing a time limit.

2.The petitioner filed a suit in O.S.No.40 of 2011 on 02.02.2011 for partition and separate possession. The respondent filed written statement and issues were framed on 09.11.2011 and the suit was posted for trial on 21.11.2011. The evidence on behalf of the petitioner was closed in March, 2014 and the first defendant has filed her proof affidavit on 02.04.2014 and marked Ex.B2 an un-registered and unstamped Memo of Joint Family oral partition. The petitioner objected to mark the said document. When the case was posted to cross-examination of the first defendant, She has filed I.A.No.433 of 2014 to send the document for expert opinion and filed another I.A.No.577 of 2016 to eschew Ex.B2, so trial is not proceeded with after marking Ex.B2 and it is posted to 17.12.2016. In the circumstances, the petitioner has come out with the present Civil Revision Petition.

<https://hcservices.courts.gov.in/hcservices/> I have heard the learned counsel appearing for the petitioner and also perused the entire materials on record.



4.Considering the facts and circumstances of the case, the suit is of the year 2011 and the trial has commenced and it is partly heard, the Sub Judge, Palani is directed to consider the I.A., on merits and pass orders in accordance with law, within a period of two months from the date of receipt of a copy of this order and also to dispose the suit in O.S.No.40 of 2011 as expeditiously as possible, in any event, on or before 30th June, 2017.

5.With the above direction, this Civil Revision Petition is allowed. No costs.

Sd/-
Deputy Registrar

/True Copy/

Sub Assistant Registrar

am

To
The Sub Ordinate Judge, Palani.

+1cc to Mr.R.A.Mohan Ram, Advocate Sr.No. 79732

JAM/27.12.16/RR/ 2p-3c

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