

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.04.2017

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P.(PD)No.1313 of 2017

Saroja

Represented by her power holder

R.Padmanaban

.. Petitioner

Vs.

1.Velusamy Chettiar

2.Vanaja

3.Murali

4.Surya

5.Revathy

6.Gajalakshmi

7.Dhanabakiam

8.Pavunammal

9.Ramanathan

10.Thenmozhi

11.Radhammal

12.Sakkaraivel

13.Sekar

14.Venkatesan

15.Govindaraj

16.Ganesan

.. Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the Trial Court to dispose I.A.No.429 of 2011 in O.S.No.147 of 2004 on the file of the District Munsif and Judicial Magistrate's Court, Uthangarai within a time limit fixed by this Court.

For Petitioner : Mr.M.Ravi

ORDER

This Civil Revision Petition has been filed seeking a direction to the learned District Munsif and Judicial Magistrate, Uthangarai, to dispose I.A.No.429 of 2011 in O.S.No.147/2004, within a stipulated period of time.

2. The petitioner is the plaintiff and the respondents are the defendants in O.S.No.147 of 2004. A preliminary decree of partition was passed on 12.04.2005 in favour of the plaintiff/petitioner allotting 1/6 share in A schedule property and 1/4 share in B schedule property. Aggrieved over the same, the petitioner has filed I.A.No.429 of 2011 for passing of final decree and for appointment of Advocate Commissioner, on 04.07.2011. As the said application is pending for more than six years without any progress, the petitioner has come forward with this civil revision for early disposal of I.A.No.429 of 2011.

3. Heard the learned counsel appearing for the petitioner.

4. Having regard to the submissions made by the learned counsel for the petitioner, considering the limited prayer sought for in the civil revision petition and since the application is pending from 2011, without expressing any opinion with regard to the merits of the matter, I direct the learned District Munsif and Judicial Magistrate, Uthangarai, to dispose of the application in I.A.No.429 of 2011 in O.S.No.147 of 2004, on merits and in accordance with law, as expeditiously as possible, in any event, not later than 31st July 2017.

5. The Civil Revision Petition is disposed of with the above direction. No costs.

11.04.2017

Index :Yes/No

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To

The District Munsif and Judicial Magistrate's Court
Uthangarai.

V.M.VELUMANI,J.

kj

C.R.P.(PD)No.1313 of 2017

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