

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2017

CORAM:

THE HON'BLE MR.JUSTICE P.DEVADASS

CRP(PD). No.1329 of 2017

1. Mr.Durai
2. Kalliammal .. Petitioners/Respondent 5 & 6

Vs.

1. R.Kulashekar
2. V.Ramaiah
3. R.Prasanna Kumar
4. R.Narayanasamy
5. R.Sowbhaghyalaxmi .. Respondents/Defendants 1 & 4

Civil Revision Petition filed under Article 227 of the Constitution of India directing the learned Subordinate Judge, Hosur to dispose the suit in O.S.No.114 of 2014.

For Petitioner : Mr.
A.P.Sathyamoorthi

ORDER

As this revision involves a limited question, we will dispose of this revision today at the admission stage itself.

2. According to the learned counsel for the petitioner, this partition suit is pending since 2014 and he seeks a direction for early

disposal.

3. I have anxiously considered the submissions of the learned counsel for the petitioner and also perused the connected papers.

4. Both sides are related. Now, they have become inimical. It is all because of property. Actually, they want division of property by metes and bound.

5. It is not that the suit of this nature has to be disposed of only after a fight. Even without fight, it could be disposed of provided, the Court and the counsels have put their heart and soul.

6. As per Order 32-A of CPC as far as family matters are concerned, efforts should be made to re-conciliate and mediate. This is also an objective of Section 89 CPC.

7. The suit is of the year 2014. We do not know, even before the petitioner, there may be many suits old suits might be pending in the said Court. Simply because the petitioners have rushed to the Court we cannot allow them to jump over the queue. They must also follow the queue like other litigants. There may be really fit cases

even more older than the present case.

8. Hurried justice some times results in burial of justice. Expeditious disposal does not mean express disposal, bidding farewell to principles of natural justice and connected procedure law.

9. In view of the above, ordered as under:

(i) The learned Subordinate Judge, Hosur, Krishnagiri upon hearing both sides will fix a date for early disposal.

(ii) No order as to costs.

10. Accordingly, this civil revision petition is disposed of.

Index: Yes/No
Internet: Yes/No
kua

12.4.2017

Dr.P.DEVADASS,J.

Kua

To

1. The Principal District Judge,
Krishnagiri.

2. The Subordinate Judge,
Hosur,
Krishnagiri District.

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