

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2017

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P.(PD)No.1456 of 2017

1.A.Salima
2.Mohamed
3.Mumthaj
4.A.Rahamath Beevee
5.M.Fathima Gani
6.M.Mumtaj
7.M.Tajuddin

.. Petitioners

Vs.

A.Nellammal Beevi

.. Respondent

Petition filed under Article 227 of the Constitution of India for a direction to fix an early date for disposal of the suit in O.S.No.90/2010 on the file of the Subordinate Judge at Ponneri.

For Petitioners : Mr.T.Jayaramaraj

ORDER

The petitioners are the plaintiffs and the respondent is the defendant in the suit filed in O.S.No.90 of 2010 on the file of the Subordinate Judge at Ponneri.

2.The petitioners have filed a suit for partition in O.S.No.251 of 2008 before the Principal District Court, Thiruvallur and the said suit was transferred to the file of the Subordinate Court, Ponneri and renumbered as O.S.No.90 of 2010. The respondent has not filed any written statement and hence preliminary decree was passed on 10.09.2015. The petitioners filed applications in I.A.No.209 of 2016 praying for passing of final decree and for appointment of an Advocate Commissioner and the said applications were posted for filing counter. At this juncture, the respondent filed a petition to set aside the preliminary decree on 06.10.2015. From that day onwards, the case is periodically adjourned. Hence the petitioners have come up with this Civil Revision Petition.

3.Heard the learned counsel for the petitioners.

4.Having regard to the submissions made by the learned counsel on either side, considering the limited prayer sought for in the Civil Revision Petition and since the above said suit is pending

from the year 2010, without expressing any opinion with regard to the merits of the matter, I direct the learned Subordinate Judge, Ponneri, to dispose of the suit in O.S.No.90 of 2010, on merits and in accordance with law, as expeditiously as possible, in any event, not later than 30.09.2017. No costs. The Civil Revision Petition is disposed of accordingly.

Index : Yes/No
Internet : Yes/No

21.04.2017

KM

To

The Subordinate Judge,
Ponneri.

V.M.VELUMANI, J.

KM

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