

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2017

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P.(PD). No.1469 of 2017

Ramasamy

... Petitioner

Vs.

1. Pappathi
2. Aruna
3. Ambika Devi
4. Palanisamy
5. Rajamanickam

... Respondents

Prayer: Petition has been filed under Article 227 of Constitution of India praying to direct the Subordinate Judge at Namakkal to take up the suit in O.S.No.63 of 2010 for trial and disposal of the same within the time that may be fixed by this Court.

For Petitioner : Mr.T.L.Thirumalaisamy

ORDER

The Civil Revision Petition has been filed to direct the Subordinate Judge at Namakkal to take up the suit in O.S.No.63 of 2010 for trial and disposal of the same within the time that may be fixed by this Court.

2.The first petitioner is the 1st defendant and the 1st

respondent is the plaintiff and respondents 2 to 5 are defendants 2 to 5 in the suit in O.S.No.63 of 2010.

2. The first respondent/plaintiff filed a suit for partition on the file of the Subordinate Judge at Namakkal against the petitioner and respondents 2 to 5 claiming 3/8th share in the suit property. The petitioner/1st defendant filed a written statement on 29.09.2011 and respondents 2 to 5 filed their written statement on 29.03.2012 and issues were framed on 20.07.2012. From that date onwards, the suit is kept pending without any progress. Since the suit was unnecessarily adjourned periodically without conducting the trial, the petitioner has come out with the present Civil Revision Petition for early disposal of the suit.

4. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

5. 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 suit is pending from the year 2010, without expressing any opinion with regard to the

merits of the matter, I direct the Subordinate Judge, Namakkal, to dispose of the suit in O.S.No.63 of 2010, on merits and in accordance with law, as expeditiously as possible, in any event, not later than 30th September, 2017.

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

20.04.2017

Index :Yes/No

Internet :Yes/No

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To

The Subordinate Judge
Namakkal

V.M.VELUMANI, J

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