

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.08.2017

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P.(PD)No.1095 of 2011
& M.P.No.1 of 2011

Ayye Gounder

.. Petitioner

Vs.

1.Maruthathal
2.Eswaran
3.Karuppathal
4.Lakshmi
5.Velumani
6.Ashokan
7.Karthikeyan
8.Suresh Kumar
9.Jeya Kumar
10.Manivannan

.. Respondents

PRAYER: Civil Revision Petition filed Under Article 227 of the Constitution of India, against the fair and decreetal order dated 02.03.2011 made in I.A.No.215 of 2011 in O.S.No.377 of 2005 on the file of the learned District Munsif, Palladam.

For Petitioner
For R1
For R2 to R5 & R10
For R6 to R9

: Mr.J.Ramakrishnan
: Mr.P.M.Duraiswamy
: No appearance
: Mr.T.L.Thirumalaiswamy

ORDER

The present civil revision petition is filed against the order dated 02.03.2011, passed in I.A.No.215 of 2011 in O.S.No.377 of 2005, which was filed by the petitioner/first defendant for permission to file Additional written statement. Pending civil revision petition, the petitioner died.

2. The learned counsel appearing for the petitioner submitted that he has not taken any steps so far. In view of the same, the civil revision petition may be dismissed as abated.

3. The learned counsel appearing for the first respondent submitted that at the stage of trial in suit, the petitioner/first defendant filed present I.A.No.215 of 2011. And due to pendency of civil revision petition, the suit is not taken up for hearing. It is open to the first respondent/plaintiff to take steps to bring legal heirs of the petitioner/first defendant in the suit and contest the suit on merits.

4. The learned counsel appearing for the first respondent further submitted that the first respondent is relative of the petitioner

and he knows the details of the legal heirs and he will take steps within a period of three months from the date of receipt of a copy of this order. He had also submitted that the suit was originally filed on on the District Munsif Court, Palladam and now it has been transferred to District Munsif Court, Sulur, Coimbatore and the same is pending.

5. Since the suit is of the year 2005, the learned District Munsif Court, Sulur is directed to dispose of the suit as expeditiously as possible, in any event, not later than four months from the date of receipt of a copy of this order.

6. In the result, the civil revision petition is dismissed as abated. No costs. Consequently, connected miscellaneous petition is closed.

सत्यमेव जयते

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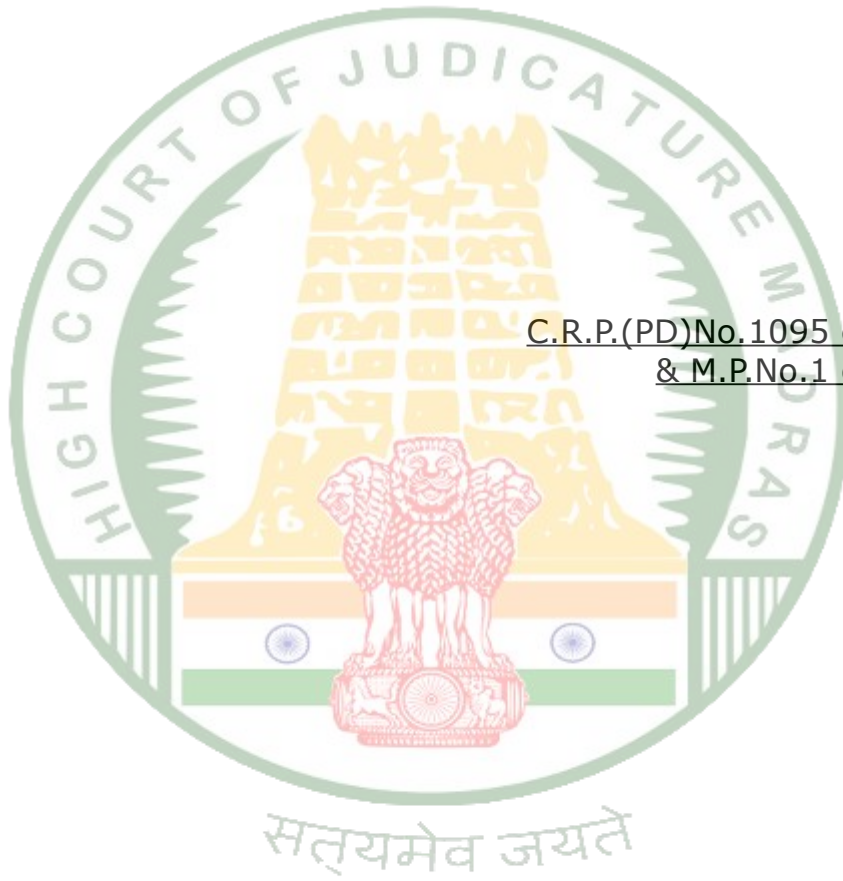
Index: Yes/No
gsa

To

The District Munsif, Palladam.

V.M.VELUMANI, J.

gsa



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