

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2017

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

C.R.P.(NPD)No.554 of 2017

D.C.Muniraj

.. Petitioner

Vs

M.K.Rangaramanujan (died)

1.J.Raffth Sulthana

2.Ramakrishnan @ Moorthy

Amsa (died)

.. Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India to direct the learned Subordinate Judge, Dharmapuri to pass final decree in O.S.No.85 of 2010 in pursuance to the preliminary decree dated 19.02.2014.

For petitioner : Mr.C.Munusamy

ORDER

This civil revision petition has been filed seeking a direction to the learned Subordinate Judge, Dharmapuri to pass final decree in O.S.No.85 of 2010, in pursuance to the preliminary decree dated 19.02.2014 within a stipulated time.

2. According to the petitioner, the suit has been filed for partition and separate possession. In the aforesaid suit, preliminary decree

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has been passed on 19.02.2014. While so, the petitioner has filed I.A.No.266 of 2014 on 26.02.2014 for final decree, in which, an Advocate Commissioner was appointed and he had also filed his the report way back in the year 2014 itself. However, since the Court below has not passed any final decree, despite the Advocate Commissioner filing his report, the petitioner has filed the present civil revision petition before this Court for the aforesaid prayer.

3. Considering the limited scope of the prayer sought in this petition, without going into the merits of this case, this Court is inclined to direct the learned Subordinate Judge, Dharmapuri to dispose of the application for final decree in I.A.No.266 of 2014 on merits and in accordance with law, as expeditiously as possible.

With the above direction, this civil revision petition is disposed of. No costs.

07.03.2017

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To
The Subordinate Judge, Dharmapuri.

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