



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.10.2017

CORAM :

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THE HONOURABLE MRS.JUSTICE J.NISHA BANU

CRP(PD) (MD) No.1607 of 2017

- 1)V.Santha
- 2)V.Premalatha
- 3)V.Geetharani
- 4)V.Venkatesh Raja
- 5)V.Lakshmi Praba

... Petitioners/Appellants/
Plaintiffs 1, 3 to 6

vs.

Meenakshi Ammal (Died)

- 1)L.Nagarathinam
- 2)L.Kesavan
- 3)L.Sugumaran
- 4)L.Jayakumar
- 5)Girijalakshmi

... Respondents 1 to 5/
Respondents/Defendants

6)V.Ravindran

... Respondent No.6/
Respondent/ 2nd Plaintiff

Petition filed under Article 227 of the Constitution of India, to issue direction directing the Principal Sub Court, Madurai, to dispose of A.S.No.163 of 2014 within the time as fixed by this Hon'ble Court.

For Petitioner : Mr.N.Tamilmani

ORDER

This revision petition has been filed to issue a direction to the learned Principal Sub Judge, Madurai, to dispose of A.S.No.163 of 2014 within a time frame to be fixed by this Court.

2.The revision petitioners who are plaintiffs 1 and 3 to 6 would aver that they filed a suit in O.S.No.308 of 2011 before the Principal District Munsif Court, Madurai, seeking partition of 1/6 share each in the suit schedule property.



3.The learned Principal District Munsif passed a judgment and decree dated 29.10.2014 dismissing the suit. Aggrieved by the dismissal of the suit, the revision petitioners filed A.S.No.163 of 2014 before the Sub Court, Madurai, and the same is pending.

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4.The grievance of the petitioners is that from 2014 onwards, the Appeal Suit has been adjourned for no reason and even after repeated request by the appellants/revision petitioners to put forth their arguments, the appellate court granted lot of adjournments. Therefore, the appellants have come up with the present revision petition seeking direction for early disposal of the Appeal Suit.

5.The learned counsel for the petitioner would submit that that the 1st petitioner/1st appellant is 74 years old and four respondents are aged about more than 70 years and therefore, prays for early disposal of the Appeal Suit.

6.Since it is only a petition for early disposal of the Appeal Suit which is pending from 2014 onwards, no notice is necessary to the respondents herein.

7.Considering the age of the parties to the Appeal Suit and having regard to the nature of the suit which was filed for partition, this Court is inclined to direct the learned Principal Sub Judge, Madurai, to dispose of A.S.No.163 of 2014 within a period of six months from the date of receipt of a copy of this order.

With the above direction, this Civil Revision Petition is disposed of. No costs.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub-Assistant Registrar

To

The Principal Subordinate Judge, Madurai.

+One cc to Mr.N.Tamilmani, Advocate, SR.No.81678

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RL/3C/2P/JC/SAR1/13/10/2017

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