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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.06.2017

CORAM :

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

C.R.P.(PD) (MD) No.994 of 2017

1.S.Vinoth

2.P.Shanmugham

... Petitioners/ R2 and R3

-vs-

1.S.Thirumoorthy

2.N.Sagunthala

... R1/Petitioner

... R2/R1

3.P.Periyasamy

4.S.Vasantha

5.P.Elangovan

... Respondents 3 to 5/R4 to R6

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, praying to direct the Principal Sub Court, Karur to dispose the I.P.No.35 of 2013, within a time frame fixed by this Hon'ble Court.

For Petitioner : Mr. M.Saravanan

ORDER

This Civil Revision Petition has been filed under Article 227 of the Constitution of India, seeking direction of this Court to the Principal Sub Court, Karur to dispose of the I.P.No.35 of 2013, within a specific time frame.

2.The revision petitioners are the respondents 2 and 3 in the insolvency proceedings initiated against the first respondent. The case of the revision petitioners is that, the insolvency petition itself is a make-believe petition filed by the first respondent herein to defeat the rights of the revision petitioners. Though, the petition appears to be a debtor petition, initiated by the first respondent herein, just to defeat the interest of the petitioners the IP has been filed. Under one pretext or another, Interlocutory Applications are filed. The plea of the revision petitioners is to direct the insolvency Court to take up the matter expeditiously and dispose it of on merits, without undue delay.

3.Considering the facts of the case and the submission made by the learned counsel for the revision petitioners, this Court is inclined to direct the Trial Court to dispose of the matter within a period of four months from the date of receipt of copy of this order.



4. Accordingly, the revision petition is disposed of with the above direction. No Costs.

Sd/-
Assistant Registrar(CO)

/True Copy/

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Sub Assistant Registrar

To

The Subordinate Judge,
Sub Court, Karur.

+1cc to M/s. R.SUBRAMANIAN Advocate in SR. No.58118

KM/MR
JS/SKN/SAR.2/9.6.2017/2P-3C

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