



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2017

CORAM:

WEB COPY

THE HONOURABLE MS.JUSTICE J.NISHA BANU

C.R.P. (MD) .No.2513 of 2016

and

C.M.P (MD) No.11874 of 2016

Venkatramanan

... Petitioner/Petitioner

Vs.

1. Srinivasan
2. Rajeswari
3. Padmanabhan
4. Shyamala
5. Hemalatha
6. Geetha

... Respondents/Respondents

PRAYER: The Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair and decreetal order dated 25.10.2016 in I.A.No.316 of 2016 in O.S.No.155 of 2012 on the file of the learned Principal Subordinate Judge, Kumbakonam.

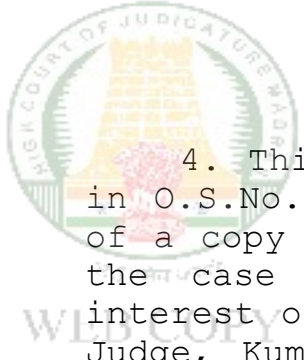
For Petitioner : Mr.VR.Shanmuganathan
For R1 : Mr.V.K.Vijaya Raghavan
For R2 to R6 : No appearance

O R D E R

The Civil Revision Petition has been filed as against the order of dismissal passed in the application for appointment of Advocate Commissioner for examining the witness.

2. Now, the witness herself died and a Memo to that effect has also been filed by the first respondent. Therefore, nothing survives for adjudication in the revision petition.

3. The learned counsel for the first respondent would submit that this Court, by an order dated 26.10.2015, in C.R.P.(MD). No.2257 of 2015, specifically directed the learned Principal Subordinate Judge, Kumbakonam to dispose of the suit in O.S.No.155 of 2012 within two months from the date of receipt of a copy of this order and the parties to the suit are more than 80 years old.



4. This Court already passed an order to dispose of the suit in O.S.No.155 of 2012 within two months from the date of receipt of a copy of this order and due to the pendency of the Revision, the case could not be proceeded further. Therefore, in the interest of justice, this Court directs the learned Principal Sub Judge, Kumbakonam, to dispose of the suit in O.S.No.155 of 2012 within a period of two months from the date of receipt of a copy of this order.

5. The Civil Revision Petition is disposed of accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(P&A)

/True Copy/

Sub-Assistant Registrar

To

The Principal Subordinate Judge,
Kumbakonam.

+One cc to Mr.VR.Shanmuganathan, Advocate, SR.No.83474

akv
RL/3C/2P/KK/SAR4/7/11/2017

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