

THE HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

CIVIL REVISION PETITION NO.4349 of 2017

ORDER :

Heard.

Aggrieved by the non-disposal of I.A.No.487 of 2003 in O.S.No.36 of 1987 on the file of Additional Senior Civil Judge, Tirupati, Chittoor, the present civil revision petition came to be filed.

The facts of the case are that the trial Court has passed a preliminary decree in O.S.No.36 of 1987, directing the plaint schedule properties to be divided into 24 equal shares; be allotted 7 such shares to the second respondent herein; seven such share to the first plaintiff; 7/24th shares to defendant Nos.1 to 6 and 3/24th share to defendant No.10. Subsequently, I.A.No.487 of 2003 came to be filed seeking appointment of Commissioner to divide the plaint schedule properties into 24 equal shares on the basis of Commissioner's Report and the same is pending till date. Hence the present revision came to be filed.

Learned counsel for the petitioner would submit that in order to divide the plaint schedule properties, as per the terms and conditions of the preliminary decree, I.A may be directed to be disposed of, which is pending since 2003.

Having regard to the above circumstances, the civil revision petition is disposed of directing the trial Court to dispose of the I.A. as early as possible, preferably within a period of four weeks from the

date of receipt of a copy of the order. There shall be no order as to costs.

Consequently, miscellaneous petitions, if any pending, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

01.09.2017
vnb

