

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.12.2018

C O R A M

THE HON'BLE MR.JUSTICE M.S.RAMESH

C.R.P.[PD] No.1400 of 2015

and

M.P.No.1 of 2015

Mrs.Shanthi

... Petitioner

Vs

1.A.Parvathy

2.Balarama Reddy

3.B.Senthil Kumar

4.Dr.M.Baskaran

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India praying to allow this Civil Revision Petition, set aside the impugned order dated 09.09.2014 passed by the District Munsif Court, Madurantagam in I.A.No.1229 of 2014 in O.S.No.126 of 2011 and dismiss the said petition with costs.

For Petitioner : Mr.V.Gopalakrishnan

For Respondents : Mr.S.Udayakumar

ORDER

The main ground raised in the present Revision Petition is that the order under challenge came to be passed against the third defendant, who

already died on 13.09.2014.

2. Today when the matter is called, the learned counsel for the petitioner produced a copy of the application in I.A.No. 1493 of 2014 dated 24.09.2014 seeking impleadment of the legal heirs of the third defendant. As such, it cannot be said that the fact of death of the third defendant was not brought to the notice of the trial Court. Since the application has been pending on the date of the consideration of I.A.Nos.1229 & 1230 of 2014, the main ground raised by the petitioner herein may not be correct.

3. Nevertheless, the learned counsel for the petitioner submitted that he has no objection in allowing the applications in I.A.Nos.1229 & 1230 of 2014 and he would submit that since the suit has been filed in the year 2011, which had been kept pending for a very long time, the trial Court may be directed to dispose of the suit as expeditiously as possible. The learned counsel further submitted that he has no objection in having these applications allowed. Hence, no further orders required in this Civil Revision Petition.

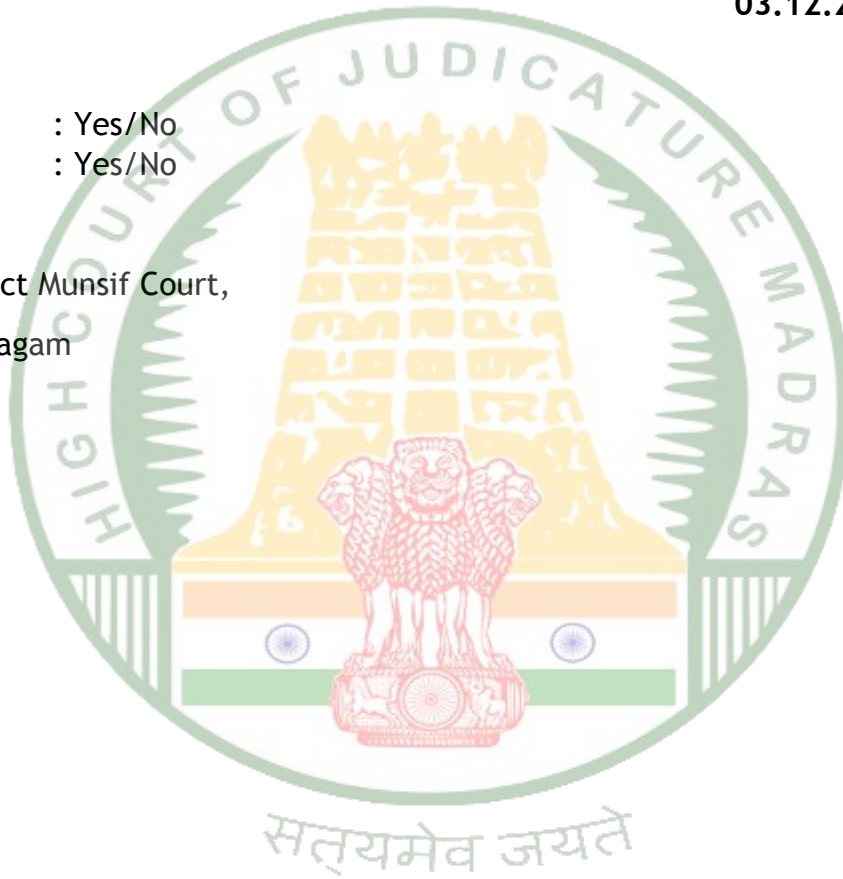
4. Taking into consideration of the fact that the suit was filed in the year 2011 and the trial had already commenced, the learned District Munsif Court, Madurantakam shall endeavour to complete the suit proceedings

atleast within a period of three months from the date of receipt of a copy of this order. The Civil Revision Petition is ordered accordingly. Consequently connected Miscellaneous Petition is closed. No costs.

03.12.2018

dh
Index : Yes/No
Internet : Yes/No

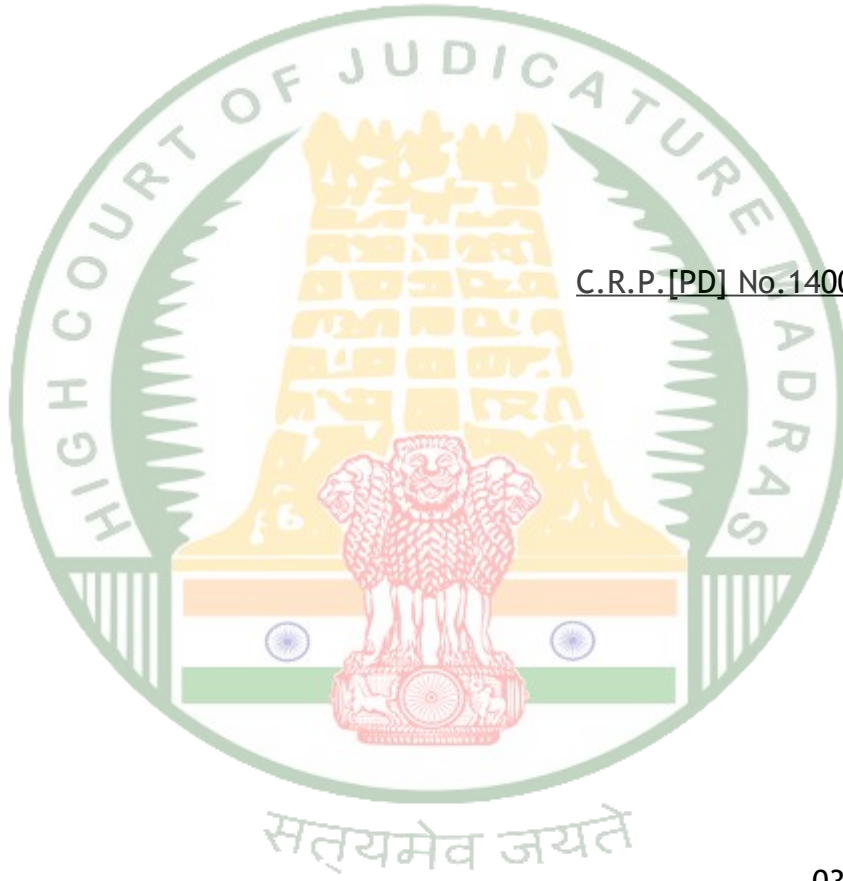
To
The District Munsif Court,
Madurantagam



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M.S. RAMESH.J.

dh/vsn



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