

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 29.06.2018

CORAM

THE HON'BLE MR.JUSTICE KRISHNAN RAMASAMY

C.R.P. No.1189 of 2013

and CMP.No.13400 of 2017

and MP.No.1 of 2013

Selvam Gabriel ... Petitioner

Vs

Palaniappan (died)

1. P.Sivapragasam

Rosali @ Lourdamary (died)
rep.by legal heirs / defendants

Selvam Xavier (died)
rep.by legal heirs / defendants

2. Selvam Dairiam

3. Selvam Philominathan

4. Selvam Adaicalamary

5. Selvam Anandaraj

6. Selvam Lawrence

Amaladoss (died)

7. Vimala

8. Selvam Theresa Judie

9. Selvam Cyril Abraham

.. Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the order dated 25.07.2012 in I.A.No.42 of 2012 in O.S.No.13 of 2011 on the file of II Additional District Judge, Puducherry.

For Petitioner : Mr.S.Prabhu

For Respondents: Mrs.D.Chithra Maragathan for R1
R2 to R9 Given up.

ORDER

This Civil Revision Petition is filed to set aside the order dated 25.07.2012 in I.A.No.42 of 2012 in O.S.No.13 of 2011 on the file of II Additional District Judge, Puducherry.

2. Heard Mr.S.Prabhu, the learned counsel appearing for the petitioner and Mrs.D.Chithra Maragathan, the learned counsel appearing for the first respondent.

3. The learned counsel appearing for the petitioner submitted that both O.S.No.47 of 1984 and A.S.No.334 of 2006 are connected matters and pending for a long time before the learned II Additional District Judge, Puducherry. Therefore the petitioner's contention is that if both the matters are heard together justice can be rendered by saving the Court's time.

4. On the other hand, the learned counsel for the respondents submitted that if the matters are decided at the earliest point of time, relief can be granted in long pending suit in O.S.No.47 of 1984 and A.S.No.334 of 2006 since the parties are senior citizens.

5. Therefore, both the counsels agreed that for the purpose of disposal of the suit and A.S., at the earliest point of time and this Civil Revision Petition can be disposed of by giving suitable direction without going into the merits of this case. This Court while recording the submission of the learned counsel for the petitioner and the learned counsel for the respondents, directs the learned II Additional District Judge, Puducherry to dispose of the O.S.No.47 of 1984 and A.S.No.334 of 2006 within a period of three months from the date of receipt of a copy of this order.

6. With the above direction, this civil revision petition is disposed of. No costs.

Sd/-

Deputy Registrar(CS)

//True Copy//

WEB COPY

Sub Assistant Registrar

dpq

To

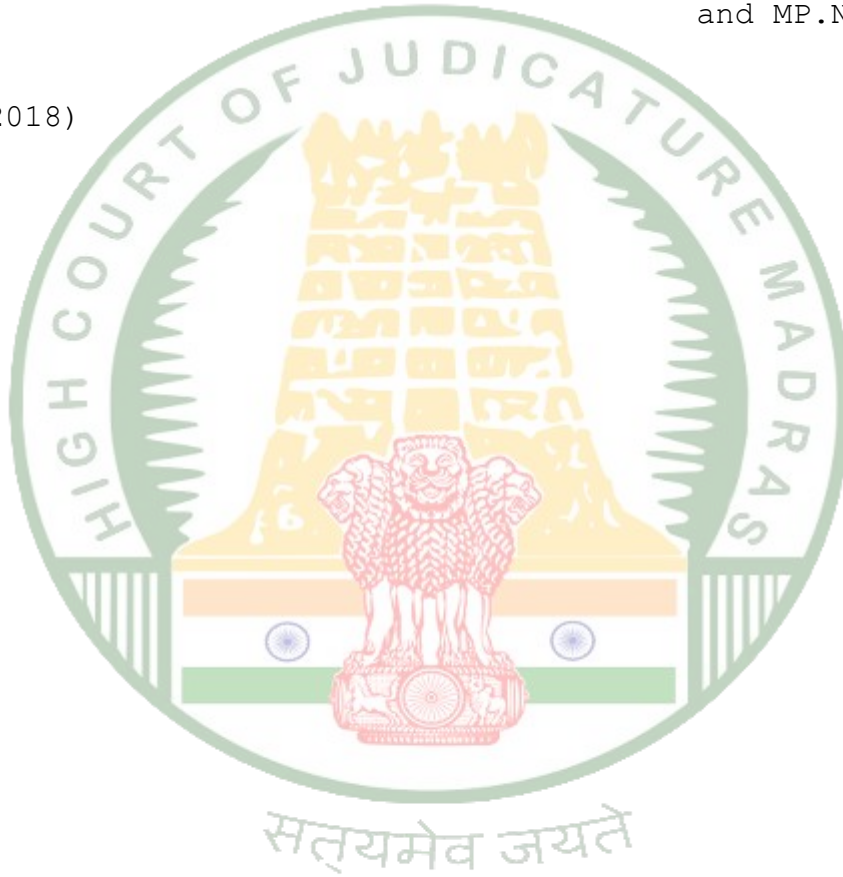
The II Additional District Judge,
Puducherry.

+1cc to Mr.T.R.RAJARAMAN, Advocate, S.R.No.42068

+1cc to Mr.G.RAJAN, Advocate, S.R.No.42240

C.R.P. No.1189 of 2013
and CMP.No.13400 of 2017
and MP.No.1 of 2013

TR(16/07/2018)



WEB COPY