



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.09.2018

CORAM

THE HONOURABLE MRS. JUSTICE R. THARANI

C.R.P. (MD) No.1311 of 2015

WEB COPY

Shanthi

.. Revision Petitioner/Petitioner/Plaintiff

Vs.

1.Petchiammal
2.Vijayalakshmi
3.R.Santhanaraj
4.Bose Morayis
5.Manthiram
6.Selvanayagam
7.Shamugasundaram
8.Somasundaram

.. Respondents/Respondents/Defendants

Prayer : This revision petition is filed under Section 227 of the Constitution of India, to direct the Incharge Sub Judge, Tuticorin to dispose of I.A.No.485 of 2013 in O.S.No.187 of 2013 on the file of the Sub Court, Tuticorin.

For Petitioner : Mr.S.Siva Thilakar

For R-1 : Mr.J.Asok

For R-2 : Mr.C.Jeganathan

For R-3 : Mr.T.Selvan

R4 : Dismissed vide order
dated 14.12.2017

For R5 to R-8 : No appearance

ORDER

This Civil Revision Petition has been filed to direct the Sub Judge, Tuticorin to dispose of the I.A.No.485 of 2013 in O.S.No.187 of 2013 on the file of the Sub Court, Tuticorin.

2.On the side of the petitioner, it is stated that the petitioner has filed a suit in O.S.No.187 of 2013 for a prayer of partition. In I.A.No.485 of 2013 for a prayer of injunction and the injunction was granted on 30.05.2013 and was extended up to 08.12.2014. On 04.02.2015 the interim order was not extended by the learned Incharge of the Subordinate Judge. If the property is being encumbered, the prayer of petitioner may be affected, in the circumstances, the petitioner requests for a disposal of the I.A.No.485 of 2013.



3. On the side of the respondent, it is stated that the main suit itself can be disposed of instead of disposing I.A. Petition.

4. Records Perused.

5. It seems that the suit is pending for partition. If the properties are alienated the rights co-owners or co-shares may be affected.

6. In this circumstances, the learned Subordinate Judge, Tuticorin, is directed to dispose of the case in O.S.No.187 of 2013 within a period of one month from the date of receipt of a copy of this order. This Civil Revision Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar (CS-III)

To

The Subordinate Judge,
Tuticorin.

+1cc to Mr.S.Siva Thilakar, Advocate Sr.No.86495

+1cc to M/s.Veera Associates, Advocate Sr.No.86867

LS

KM-VB/PM/SAR3/10.12.2018/2P/4C

C.R.P. (MD) No.1311 of 2015
25.09.2018