



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2018

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (PD) (MD) No.2642 of 2018

Seenivasan Naicker

... Petitioner

Vs.

1.Ramaraj

2.Subbulakshmi

3.Saroja

4.Gandhimathi

5.Kasthuri

6.State of Tamil Nadu,
Rep. through District Collector,
Virudhunagar District.

... Respondents

PRAYER: Petition filed under Article 227 of the Constitution of India, seeking a direction the learned Additional District Judge, Virudhunagar, to expedite the trial and dispose of the case in O.S.No.14 of 2017, within a stipulated time limit.

For Petitioner: Mr.I.Velpradeep

ORDER

This Civil Revision Petition has been filed seeking a direction to the learned Additional District Judge, Virudhunagar, to dispose of the suit in O.S.No.14 of 2017, within a stipulated time limit.

2. The petitioner before this Court is a 93 year old, super senior citizen and according to him, suit items 1 to 6 are his self acquired properties and the seventh item of the suit schedule is his ancestral property. The petitioner had two wives and the respondents 1 to 5 herein are his sons and daughters. The grievance of the petitioner is that the first respondent herein, taking advantage of the petitioner's old age, has convinced and got a settlement deed dated 21.08.2013 from the petitioner in respect of suit items 1 to 6 and now, the petitioner is even allowed to even enter into the premises. Since the petitioner has been cheated by his own son, he has filed the present suit to cancel the settlement deed dated



21.08.2013 executed by him and for partition in respect of the seventh item of the suit property. Since the petitioner is at the verge of his life, he is before this Court seeking a direction for the Court below for early disposal of the suit proceedings.

3. Heard the learned Counsel for the petitioner and perused the materials available on record. Notice to the respondents is dispensed with, since the prayer itself is for a limited scope seeking early disposal of the suit proceedings.

4. Though the suit is of the year 2017, considering the facts and circumstances of the case and also taking note of the age of the petitioner, this Court, without going into the merits of the case, directs the learned Additional District Judge, Virudhunagar, to dispose of the suit in O.S.No.14 of 2017, within a period of six months from the date of receipt of a copy of this order.

5. With the above direction, the Civil Revision Petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

1.The Additional District Judge,
Virudhunagar.

2.The District Collector,
Virudhunagar District.

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