

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.03.2019

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

C.R.P.(PD).No.1133 of 2019

1. Bharathi T.Chawla @ Indra
 2. S.Rajkumar
 3. M.Mala
 - 4.R.Bhavana @ Kavitha
- ... Petitioners

Vs.

- Shamla (late)
1. Biharilal
 2. Srichand
- Rajkumari @ Raju (deceased)
- Vaijanthi @ Rani (died)
3. D.Maya bai
 4. B.Bagawan
 5. Asha @ Keerthi
- ... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India directing the II Additional Sub-Ordinate Court, Erode to disassociate the O.S.No.184 of 2005 and to commence and complete the trial expeditiously in O.S.No.184 of 2005 pending on the file of the learned II Additional Subordinate Judge, Erode.

For Petitioners : Mr.Perumbullivel Radhakrishnan
for M/s.V.Prasad

ORDER

The Civil Revision Petition has been filed to direct the II Additional Subordinate Court, Erode to delink the O.S.No.184 of 2005 and to commence and complete the trial expeditiously in O.S.No.184 of 2005 pending on the file of the learned II Additional Subordinate Judge, Erode.

2. The suit in O.S.No.184 of 2005 was filed by the respondents herein for partition in the year 2005. There is a reference to stay being granted on 12.12.2013 for a period of two weeks in M.P.No.1 of 2013 in Crp(pd).No.4504 of 2013 and a copy of the same has been produced before this Court. From a scrutiny, it is seen that the stay is in respect of O.S.No.64 of 2005 and not the suit in question in the present civil revision petition. This Court is also informed that there is no order for joint trial.

3. Taking into consideration the limited prayer sought for in the Civil Revision Petition and without expressing any opinion with regard to the merits of the case, I direct the II Additional Subordinate Judge, Erode to dispose of

the O.S.No.184 of 2005, on merits and in accordance with law, within a period of four months from the date of receipt of copy of this order.

4. With these observations, the Civil Revision Petition is disposed of.

No costs.

Index : No

Internet : Yes

Speaking order/Non-speaking order
dpq

Note: Issue copy of the order on 28.03.2019

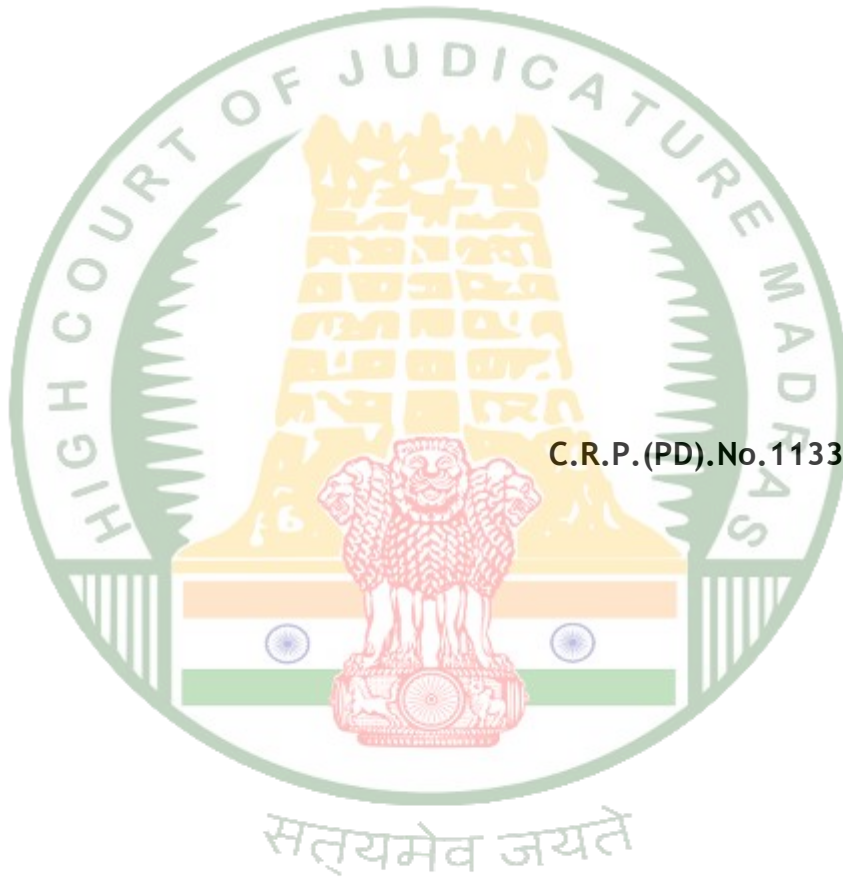
26.03.2019

To

The II Additional Subordinate Court,
Erode.

सत्यमेव जयते
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P.T.ASHA,J.
dpq



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