

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.09.2019

CORAM:

THE HON'BLE Mr. JUSTICE R.PONGIAPPAN

Civil Revision Petition (PD) No.4452 of 2014
and
M.P.No.1 of 2014

1. Smt.Shilpa
2. Minor.Nishitha Chajjer

Rep.by her mother and next friend (1st petitioner)

Petitioners

Vs

1. Sri Shantilal
2. Smt.Prakash Devi

Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the Fair and Decreetal order dated 05.09.2014 made in I.A.No.35 of 2014 in O.S.No.3 of 2005 on the file of Principal District and Sessions Judge, Vellore.

For Petitioners : Mr.K.Maheshwaran

For Respondents : Mr.N.Nagusah
Mr.N.Varadarajan

ORDER

The Civil Revision Petition has been preferred against the order passed in I.A.No.35 of 2014 in O.S.No.3 of 2005 by the Principal District and Sessions Judge, Vellore.

2. Today when the petition is taken up for hearing, the learned counsel appearing for the petitioner seeks permission of this Court to withdraw the petition and also requests this Court to direct the concerned judge to dispose the Suit, within the time frame fixed by this Court, since the Suit is pending from the year 2005. Further, the learned counsel made an endorsement for withdrawal of the petition.

3. The above submissions made by the learned counsel have been recorded.

4. On a perusal of the documents available on record would go to show that the Suit has been filed for the relief of partition, during the year 2005 and the same is posted for defendant's side further evidence. Considering the fact that the Suit is pending for nearly 14 years and also the Suit is in the final stage, I am of the opinion that issuing appropriate direction to the concerned judge is essential for early disposal of the case.

5. In view of the above reasons, the learned Principal District and Sessions Judge, Vellore is directed to dispose the Suit O.S.No.3 of 2005, within a period of two months from the date of receipt of copy of this Order.

6. Considering the endorsement made by the learned counsel for withdrawal of the petition, this Civil Revision petition is dismissed as withdrawn. No costs. Consequently, connected miscellaneous petition is closed.

vrn

05.09.2019

To

The Principal District and Sessions Judge, Vellore



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R.PONGIAPPAN, J.,

vrn



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