

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2019

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

C.R.P. PD 4209 of 2019

K.Duraisamy ... Petitioner

Vs.

M.Sadasivam ... Respondent

Prayer :- This Civil Revision Petition has been filed under Art.227 of Constitution of India, praying for a direction to the learned Subordinate Judge, Paramathi to dispose of the I.A. 241 of 2018 in I.A. 229 of 2018 (I.A. No.420 of 1997) in O.S. 299 of 2018 (O.S. 274 of 1985) on merits within the time fixed by this Hon'ble Court.

For Petitioner : Mr.A.Sri Ram

ORDER

This Civil Revision Petition has been filed seeking a direction to the learned Subordinate Judge, Paramathi to dispose of the I.A. 241 of 2018 in I.A. 229 of 2018 (I.A. No.420 of 1997) in O.S. 299 of 2018 (O.S. 274 of 1985) on merits.

2. Considering the nature of order going to be passed in this Civil Revision Petition, which would cause no prejudice to the respondent, notice to the respondent is dispensed with.

3. The petitioner has filed a suit for partition, and in the suit, a preliminary decree has been passed in the year 1987, and the appeals filed against the preliminary decree also ultimately dismissed by the Hon'ble Supreme Court in the year 1996. Thereafter, the petitioner has filed an application for passing a final decree in I.A. 420 of 1997 on the file of Sub-Court, Namakkal, subsequently, it was transferred to Sub-Court, Paramathy and re-numbered as I.A. 229 of 2018. In the final decree proceedings, an Advocate Commissioner was appointed, and he has filed a report. Thereafter, the respondent/defendant filed an application in I.A. 241 of 2018 to scrap the Advocate Commissioner's report, and that application is pending for more than one year. Hence, the present Civil Revision Petition has been filed.

4. Considering the limited prayer sought in this Civil Revision Petition, without going into the merits of the case, the learned Subordinate Judge, Paramathi is directed to dispose of the I.A. 241 of 2018 in I.A. 229 of 2018 (I.A. No.420 of 1997) in O.S. 299 of 2018 (O.S. 274 of 1985) within a period of one month from the date of receipt of the copy of this order. Accordingly, this Civil Revision Petition stands disposed of. No costs.

19.12.2019

Index : Yes/No
Internet: Yes/No
Speaking/Non Speaking order
rpp

Note : Issue order copy on 28.01.2020

To

Subordinate Judge,
Paramathi.

सत्यमेव जयते

WEB COPY

V.BHARATHIDASAN,J.

rpp



C.R.P. PD 4209 of 2019

WEB COPY 19.12.2019