

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2019

CORAM

THE HONOURABLE Mr.JUSTICE M.GOVINDARAJ

C.R.P. (NPD) 3830 of 2018

Dhanakoti @ Desikammal (deceased)

1. V.Venugopal

... Petitioner

Vs

R.Kothandaraman Naidu (deceased)

R.Kanniah Naidu (deceased)

1. Adhi Lakshmi Ammal

2. The Saidapet Cooperative Milk Supply
Society Limited,
rep. by its Secretary,
No.121, 122, Bazaar Road,
Saidapet, Chennai-15.

3. Mariammal

4. Mohana

5. Chandrakanthamma

6. Lalitha

7. Vathsala

8. Gopiammal

9. Narayaniammal

10. Dakshayanai

11. Selvaraja Naidu

12. Rupavathiammal

13. Roja (minor)

14. Sulochana (minor)

15. Andalammal (minor)
Respondents 13 to 15 rep. by
Mother and guardian 5th Respondent

16. Eddi Francis
17. B.Lakshmi
18. Dhanalakshmi
19. K.Balaraman
20. Jayavel
21. Padmavathi
22. Narayanan
23. Dillie
24. Punyakotti
25. Banumathi

... Respondents

PRAYER : Civil Revision Petition filed under Article 227 of the Constitution of India praying to fix an early date for the final disposal of the petition in I.A.No.1886 of 2004 in O.S.No.8564 of 1976 on the file of V Asst. City Civil Court, Chennai.

For Petitioner : Mr.I.Mohamed Faizal

For Respondents : M/s.G.A.Thiyagarajan
R.Saravanan for R20 & R 21

सत्यमेव जयते
No appearance for R1 to R19
and R22

ORDER

The Revision Petitioner is a Senior Citizen, aged about 72 years. Originally the suit for partition was filed in the year 1976. Suit was dismissed by the trial court and on appeal, preliminary decree for partition came to be passed. As per the directions an

application for passing final decree was filed in I.A.No.1886 of 2004. An Advocate Commissioner was also appointed and after inspection, the property was divided by metes and bounds. A report to that effect was also filed. Based on the report final decree was also passed. The petitioners filed an Execution Petition vide E.P.No. 1238 of 2013. During its pendency respondents 22 & 23 filed a petition to set aside the exparte decree with delay. However, the decree was set aside and I.A.No. 1886 of 2004 has been restored to file. Even though 42 years passed, the parties could not enjoy the fruits. Hence, seeks for a direction for early disposal of the final decree proceedings.

2. Upon considering the age of the parties as well as long pendency of the proceedings, the Trial Court is directed to dispose of the final decree proceedings within a period of three months from the date of receipt of the copy of this order. Accordingly, the Civil Revision Petition stands disposed of. No costs.

21.08.2019

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To

V Asst. Judge,
City Civil Court,
Chennai.



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M.GOVINDARAJ.J.

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