



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 08.11.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

CRP (MD)No.2003 of 2019

Sasirekha

... Petitioner

versus

1. Kasthuri

Nagendran (died)

2. The Mylaudy Primary Agricultural
Co-operative Bank Ltd. No.Y.48,
Rep. by its Secretary,
Mylaudy,
Kulasekarapuram Village,
Agasteeswaram Taluk,
Kanyakumari District.

3. Lekshmi

4. Rajagopal

5. Raja Rajeswari (minor)

6. Gomathi (minor)
(Minors R5 and R6 are represented
by their mother 3rd respondent)

7. Thiraviam

... Respondents

Revision Petition filed under Article 227 of Constitution of India, seeking a direction to the learned Principal District Munsif, Nagercoil, to dispose of I.A.No.868 of 2010 in O.S.No.481 of 2004, pending on its file, within the stipulated time.

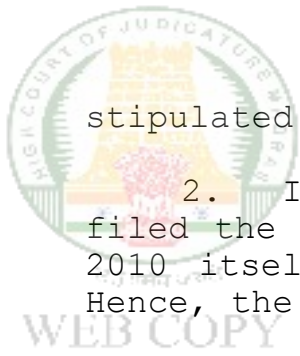
For Petitioner

: Mr.V.Raghavachari

ORDER

This Civil Revision Petition has been filed, seeking a direction to the learned Principal District Munsif, Nagercoil, to dispose of I.A.No.868 of 2010 in O.S.No.481 of 2004, within the

<https://hcservices.ecourts.gov.in/hcservices/>



stipulated time.

2. It is the grievance of the revision petitioner that she filed the said application for passing of final decree in the year 2010 itself. But, the same is pending for the past nine years. Hence, the present revision petition has been filed.

3. The learned counsel appearing for the revision petitioner submitted that in the said application, counter has been filed and an Advocate Commissioner has also been appointed in the year 2015, but, till date, the Commissioner has not filed any report. Further, as per the Judicial Notification No.C-5 CAS/2007 Tamil Nadu Case Flow Management in Subordinate Courts/Rules 2007, the said application should be disposed of within one year from the date of filing the application. However, the same is pending for the past nine years.

4. In view of the Judicial Notification No.C-5 CAS/2007 Tamil Nadu Case Flow Management in Subordinate Courts/Rules 2007 and also considering the facts and circumstances of the case, this Court directs the Advocate Commissioner to file the report within a period of 30 days from the date of receipt of a copy of this order. On receipt of the said report, the Court below shall dispose of I.A.No.868 of 2010 in O.S.No.481 of 2004 within a period of two months thereafter.

5. It is made clear that the Advocate Commissioner shall comply with the order of this Court, without seeking any further extension.

6. With the above direction, the Civil Revision Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Writs)

// True Copy //

Sub Assistant Registrar(CS)

ogy

To

The Principal District Munsif, Nagercoil.

+1 CC to M/s.V.RAGHAVACHARI, Advocate (SR-97049[F] dated 08/11/2019

CRP(MD)No.2003 of 2019

08.11.2019

JMN(03.12.2019) 2P : 3C

<https://hcservices.ecourts.gov.in/hcservices/>