



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

C.R.P (MD) No.1175 of 2019

WEB COPY

1.C.Alamelu
2.C.Muthulakshmi
3.C.Bhuvaneswari

.. Petitioners/ Petitioners/
Plaintiffs

Vs.

1.S.Nainar
2.S.Chinnadurai
3.V.Lakshmi
4.N.Anusuya
5.P.Vasuki
6.S.Navaneethakrishnan
7.S.Kannan
8.S.Sankaralinga Adaviyar
9.G.Sulochana
10.G.Arumuga Nainar
11.G.Ponraj
12.G.Shanthi
13.G.Mary

.. Respondents/ Respondents/
Defendants

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to direct the learned Principal District Judge, Tirunelveli, to expedite and complete the application in I.A.No.124 of 2018 in O.S.No.117 of 2013, within the time frame stipulated by this Court.

For Petitioners : Mr.M.P.Senthil

O R D E R

This Civil Revision Petition is filed to direct the learned Principal District Judge, Tirunelveli, to expedite and dispose of the application in I.A.No.124 of 2018 in O.S.No.117 of 2013 within the time frame stipulated by this Court.

2. Heard the learned counsel appearing for the petitioners and perused the materials available on record.

3. The petitioners are the plaintiffs in O.S.No.117 of 2013 on the file of the learned Principal District Judge, Tirunelveli. They filed the above suit for the relief of partition and for separate possession.

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

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4. After elaborate trial on 12.02.2018, the preliminary decree was passed in favour of the petitioners and thereafter, the petitioners filed an application for final decree in I.A.No.124 of 2018 on 30.06.2018. Thereafter, the learned Principal District Judge, Tirunelveli, appointed an advocate commissioner to visit the property. Immediately on appointment, the advocate commissioner visited the property and filed his report on 31.01.2019. After receiving the report filed by the advocate commissioner, the case was posted for filing objection by the respondents. Further, on 26.02.2019, the learned Principal District Judge directed the advocate commissioner to serve the copy of the advocate commissioner's report to respondents 1, 2, 4, 6 and 7. For complying the said direction, the advocate commissioner served the copy of the report to the above referred respondents on 15.03.2019 and then only, the matter was posted for filing counter or for filing objection by the respondents.

5. Perusal of the entries made in the copy of the B-Diary, it is clear that the case filed by the petitioners is continuously progressed without any delay. In the said circumstances, directing the learned Principal District Judge, Tirunelveli, to dispose the final decree application within a specific time is unnecessary. However, this Court deserves to direct the learned Principal District Judge, Tirunelveli, to dispose the final decree application as early as possible. Accordingly, the learned Principal District Judge, Tirunelveli, is directed to dispose the final decree application as early as possible, preferably within a period of six months from the date of receipt of a copy of this order.

6. Accordingly, this Civil Revision Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

To
The Principal District Judge, Tirunelveli.

+1 CC to Mr.M.P.SENTHIL, Advocate SR-76827.

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CS(14.08.2019) 2P 3C