



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

CRP (NPD) (MD) No. 686 of 2015

and

M.P. (MD) No. 1 of 2015

G.Uthaman ... Petitioner/Respondent/Respondent
versus

P.Banumathi ... Respondent/Petitioner/Appellant

Civil Revision Petition filed under Article 227 of Constitution of India, against the order dated 11.02.2015 made in I.A.No.347 of 2014 in A.S.No.92 of 2014 on the file of the learned Subordinate Judge, Pudukkottai.

For Petitioner : M/s.G.Mathavan

For Respondent : Mr.K.N.Govardhanan

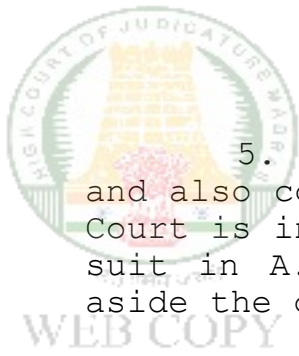
ORDER

This Civil Revision Petition has been filed against the order dated 11.02.2015 made in I.A.No.347 of 2014 in A.S.No.92 of 2014 on the file of the learned Subordinate Judge, Pudukkottai.

2. The application in I.A.No.347 of 2014 in A.S.No.92 of 2014 has been filed for appointment of an Advocate Commissioner before the Court below. After hearing both sides, the Court below appointed an Advocate Commissioner. Challenging the said order, the revision petitioner has filed the present Civil Revision Petition.

3. When the matter is taken up for hearing, the learned counsel appearing for the respondent fairly submitted that he has no objection in setting aside the order passed by the Court below, since the appeal suit is pending for the past five years and the respondent also is now bedridden. Therefore, he pleaded for appropriate directions to dispose of the appeal suit, within a stipulated time.

4. The learned counsel appearing for the revision petitioner has no objection for the submission made by the learned counsel appearing for the respondent.



5. Since the appeal suit is pending for the past five years and also considering the fact that the respondent is bedridden, this Court is inclined to direct the Court below to dispose of the appeal suit in A.S.No.92 of 2014 within the stipulated time, by setting aside the order dated 11.02.2015.

6. Accordingly, the Civil Revision Petition is allowed, by setting aside the order dated 11.02.2015 made in I.A.No.347 of 2014 in A.S.No.92 of 2014 on the file of the learned Subordinate Judge, Pudukkottai. However, the Court below is directed to dispose of the Appeal Suit in A.S.No.92 of 2014 on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

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To

The Subordinate Judge,
Pudukkottai.

+1 CC to M/s.K.N.GOVARDHANAN, Advocate (SR-98055[F] dated 13/11/2019

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