



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2019

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

C.R.P. (MD).No.1801 of 2019

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Mrs.E.Malathi (died)

1.V.Eswaran

2.E.Maheswaran

3.E.Satheeskumar

... Petitioners

Vs.

Gandhiammal (died)

1.C.Latha

2.Raja

3.C.Venkateswari

4.C.Pounmani

5.C.Suganya

6.C.Sangeetha

7.C.Viyaraja

8.M.Ramesh

9.C.Bothumani

10.A.Arulmozhi

11.J.Karthika

12.C.Malarvizhi

13.K.Kayalvizhi

14.S.Rathinam

15.S.Sandeep

16.K.Sevika

S.Chinnathai (Died)

Ochammal (Died)

17.Kavitha

18.Prabhavathi

19.Minor M.Lathika

20.Minor M.Hariharan

21.Karthikeyan

22.Latha

... Respondents

(minors 19 & 20 rep. By Guardian
of Respondent No.18)

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India for early disposal of I.A.No.572 of 2014 in O.S.No.216 of 2013 on the file of the Subordinate Court, Theni, subsequently transferred and renumbered in I.A.No.234 of 2017 in O.S.No.216 of 2013 pending on the file of the Subordinate Court, Uthamapalayam, Theni District.

For Petitioners : Mr.V.Eswaran (Party-in-person)



O R D E R

The Civil Revision Petition has been filed seeking a direction to the Subordinate Court, Uthamapalayam, Theni District, to dispose of the I.A.No.234 of 2017 in O.S.No.216 of 2013.

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2. Originally I.A.No.572 of 2014 was filed in O.S.No.216 of 2013 before the Subordinate Court, Theni and subsequently, the same was transferred to the Subordinate Court, Uthamapalayam, Theni District and renumbered as I.A.No.234 of 2017 in O.S.No.216 of 2013.

3. The grievance of the petitioner is that though the Interlocutory Application was filed in the year 2014, the same is pending for the past five years and hence, the petitioners have filed the present Civil Revision Petition seeking a direction to the Subordinate Court, Uthamapalayam, Theni District, to dispose of the I.A.No.234 of 2017 in O.S.No.216 of 2013. He also referred the Judicial Notification No.C-5 CAS/2007 Tamil Nadu Case Flow Management in Subordinate Courts/Rules 2007.

4. This Court is satisfied with the reasons stated in the affidavit filed in the revision petition and in view of the Judicial Notification No.C-5 CAS/2007 Tamil Nadu Case Flow Management in Subordinate Courts/Rules 2007, the Court below should have disposed of the application within a period of twelve months from the date of filing the application, but the Court below has not disposed of the same within a time. Hence, this Court is constrained to direct the learned Subordinate Judge, Uthamapalayam, Theni District, to hear the matter on day to day basis and dispose of the I.A.No.234 of 2017 in O.S.No.216 of 2013, on merits and in accordance with law, within a period of 30 days from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

The Subordinate Judge,
Uthamapalayam,
Theni District.



C.R.P.(MD).No.1801 of 2019

+1 CC to Mr.V.EASWARAN, Party-in-person (SR-93305[F] dated
21/10/2019)

C.R.P. (NPD) . (MD) .No.1801 of 2019
21.10.2019

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