

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

C.R.P.No.625 of 2020

Sivakumar

.. Petitioner/2nd Petitioner

Vs.

Vasuki (Died)

1. Sasi Kala
2. Saradha
3. Neelavathi
4. Suseela
5. Chandrammal
6. Dhanalakshmi
7. Vasuki
8. Krishnaveni
9. Kamatchi
10. Bala Subramaniam
11. Revathy
12. Ravichandran
13. Gandhimathy
14. Hemavathy
15. Kumaresan
16. Jeevamani
17. Jaya Mani
18. Vasantha Kumari

C.T.Jayakumar (Died)

.. Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India seeking a direction to dispose of the I.A.No.1525 of 2008 in O.S.No.146 of 1988, pending on the file of the learned District Munsif, Thiruvallur, within a time frame.

For Petitioner : Mr.B.Deepak Narayanan

O R D E R

Present revision has been filed seeking a direction to dispose of the application in I.A.No.1525 of 2008 in O.S.No.146 of 1988, pending on the file of the learned District Munsif, Thiruvallur, within a time frame.

2. Considering the nature of order to be passed in the revision which will in no way cause any prejudice to the respondents, notice to the respondents is dispensed with.

3. The petitioner has filed the suit for partition. The trial Court passed the preliminary decree on 16.06.2008. Pursuant to the said decree, the petitioner has filed an application to appoint an Advocate Commissioner to divide the schedule mentioned properties into four equal shares and allot one such share to the petitioner and pass final decree. As the application is pending for several years, the petitioner has filed the present revision seeking an early disposal of the application within a time frame.

4. As against the preliminary decree dated 16.06.2008, the defendants have filed an appeal in A.S.No.17 of 2013, before the learned Principal District Judge, Thiruvallur and the same is pending disposal. As the appeal is pending for more than seven years, the petitioner herein has filed a Civil Revision Petition in C.R.P.No.624 of 2020, before this Court seeking early disposal of the said appeal. Today, this Court passed an order in the said revision directing the learned Principal District Judge, Thiruvallur to dispose of the appeal in A.S.No.17 of 2013 in O.S.No.146 of 1988 within a period of six months. In the above circumstances, the learned District Munsif, Thiruvallur is directed to pass orders in the application in I.A.No.1525 of 2008 in O.S.No.146 of 1988, based on the judgement to be delivered by the learned Principal District Judge, Thiruvallur in A.S.No.17 of 2013 in O.S.No.146 of 1988. The revision is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The District Munsif,
Tiruvallur.

2.The Section Officer,V.R.Section,
High Court,Madras

+lcc to Mr.B.Deepak Narayanan, Advocate, Sr.No.13650

C.R.P.No.625 of 2020

BR(CO)

GS(04/08/2020)