



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2020

CORAM:

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

CRP (PD) (MD)No.936 of 2020

Kannan

...Petitioner/Third Party

Vs.

1.R.Sundar
2.Raju Thevar
3.Murugeswari
4.Minor Sathya
5.Minor Kamali

...First Respondent/Plaintiff

...Respondents 2 to 5
/Defendants

(Minor respondents 4 and 5 are represented through
their Father and next friend Sekar)

PRAYER: The Civil Revision Petition is filed under Article 227 of the Constitution of India, to expedite the suit in O.S.No.802 of 2009 on the file of the Additional District Munsif, Madurai Town.

For Petitioner : Mr.J.Barathan

ORDER

This Civil Revision Petition is filed to expedite the suit in O.S.No.802 of 2009 on the file of the Additional District Munsif, Madurai Town.

2.Heard, the learned counsel for the revision petitioner.

3.The learned counsel for the revision petitioner submitted that he is a third party to O.S.No.802 of 2009, that the plaintiff has taken out a petition in I.A.No.62 of 2012 for impleading the revision petitioner. It is a suit for partition. The revision petitioner submits that he has no objection for his impleadment in the suit and that he even concedes that the trial Court might pass a preliminary decree for partition.

4.1. The suit is pending for 11 years now. This Court wishes that the learned trial Judge bestowed his best attention for an early disposal of the case.

4.2. The trial Court is now required to dispose of I.A.No.62 of 2012 within a period of 3 months from the date of receipt of a copy of this order and if there is no contest in the suit, subject to ascertainment if there is any collusion or likelihood of interfering with third party rights, the Court may even consider passing the decree within the shortest possible date therefrom.



5.In the result, the Civil Revision Petition is allowed. No costs.

Sd/-

Assistant Registrar (AD-II)

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/ /2021

Sub Assistant Registrar(CS)

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To

1.The Additional District Munsif Court, Madurai Town.

2.The Section Officer

V.R.Section, Madurai Bench of Madras High Court,
Madurai .(2 Copies)

+1 CC to M/s T.R.Jeyapalam ,Advocate,in SR.No.23702 of 2020.

C.R.P. (PD) (MD) No.936 of 2020

01.12.2020

(SSS) CO

AP(04/01/2021) 2P 5C