



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2021

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WEB COPY

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

C.R.P.(MD)No.508 of 2021

1.Pavunthai
2.Thavamani

... Petitioners/Plaintiffs 1 & 2

Vs.

1.Muthurayar
2.Muthuraj
3.Muthuchamy

... Respondents/Defendants 1 to 3

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the Lower Court for speedy disposal of the suit in O.S.No.243 of 2018 on the file of the Sub Court, Uthamapalayam, within a time frame.

For Petitioner : Mr.S.Vinodh

ORDER

This civil revision petition has been filed to direct the Sub Court to dispose of the suit in O.S.No.243 of 2018, within a stipulated time.

2.The learned counsel for the petitioner submitted that the petitioners herein filed a suit in O.S.No.243 of 2018 for partition. The respondents are the brothers of the petitioners and they are dragging on the proceedings. The petitioners herein are aged about 68 and 70 years and they are facing health issues and taking treatment for the same. Hence, the petitioners have approached this Court by filing this Civil Revision Petition seeking a relief to dispose the suit in O.S.No.243 of 2018 on the file of the Sub Court, Uthamapalayam, within a stipulated time as fixed by this Court.

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

4.Since this Civil Revision Petition is filed for early disposal of the suit in O.S.No.243 of 2018 and since no adverse order is going to be passed, notice to the respondents is not necessary.



5.Considering the facts and circumstances of the case and considering the age of the petitioners, this Court feels that ends of justice would be met by directing the Court below to dispose of the case within a time frame. Without advertting to the merits of the case, a direction is issued to the Sub Court, Uthamapalayam, to dispose the suit in O.S.No.243 of 2018 on merits and in accordance with law, within a period of six months from the date of receipt of a copy of this order. Both the petitioners and the respondents shall co-operate for the disposal of the above suit.

6.With the above direction, this Civil Revision Petition is allowed. No costs.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gns

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Sub Court, Uthamapalayam.

+1 CC to M/s.S.VINODH, Advocate (SR-12052[F] dated 18/03/2021)

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srk(CO)

TR(21.04.2021) 2P 3C