



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2021

CORAM

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

C.R.P (MD) No. 1558 of 2021

K.Amudha

... Petitioner/1st Respondent/1st Defendant

Vs.

Dhanalakshmi (Died)

1.Sivakumar

2.Manonmani

3.Jeyamani

4.Malliga

5.Valarmathi

6.Thangavel

7.Karthick Kumar

8.Aravind Kumar

... Respondents 1 to 8/Proposed Respondent 2
to 9/L.Rs of Plaintiff

9.The Chief Educational Officer,
Virudhunagar District.

10.The District Educational Officer,
Virudhunagar District,
Virudhunagar.

11.The Branch Manager,
L.I.C of India,
Srivilliputtur.

12.The Branch Manager,
State Bank of India,
Rajapalayam.

...Respondents 9 to 12/Respondents 2 to 5
/Defendants 2 to 5

PRAYER : Civil Revision Petition filed under Article 227 of Constitution of India, to allow this Civil Revision Petition by directing the Learned Additional District Munsif, Srivilliputtur to dispose of final decree application in I.A.No:1241 of 2016 in O.S.No:162/2010 within a stipulated period as to be fixed by this Court.

For Petitioner : Mr.M.Thirunavukkarasu

O R D E R

The civil Revision petition has been filed to direct the learned Additional District Munsif, Srivilliputtur to dispose of final decree application in I.A.No:1241 of 2016 in O.S.No:162/2010.



2.The learned counsel for the petitioner submits that the petitioner is the first defendant in O.S.No.162 of 2010 filed by one Dhanalakshmi, mother in law of the petitioner. The petitioner's husband Muthualagu was working in the Seithur Sevaka Pandia Government Higher Secondary School as Office Assistant and died in a road accident on 02.02.2010. Thereafter, the said Dhanalakshmi, mother in law of the petitioner filed a suit for partition in respect of the death benefits and other properties belonging to the husband of the petitioner. A preliminary decree in the suit was passed on 26.04.2016 and thereafter, the said Dhanalakshmi filed a petition for final decree. The Court had appointed a Advocate Commissioner and the Advocate Commissioner also filed a report as early as 02.02.2010 along with a sketch and measurements. During the pendency the said plaintiff Dhanalakshmi passed away and thereafter the other legal heirs of Dhanalakshmi and grandson of said Dhanalakshmi have filed petitions to implead themselves as necessary parties and petitions are also pending before the Court. Thereafter, for the past more than two years there is no progress in the case. The petitioner is enable to enjoy the fruits of the decree, despite the preliminary decree having been passed on 26.04.2016 thereby the present petition has been filed for seeking for the direction.

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

4. In view of the same, a direction is issued to the Additional District Munsif, Srivilliputhur to dispose of the final decree application in I.A.No.1241 of 2016 in O.S.No.162 of 2010 within a period of six months from the date of receipt of a copy of this order. No costs.

5. With the above direction the petition is disposed of.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

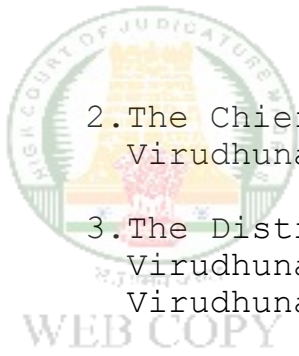
sn/aav

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

1.The Additional District Munsif,
Srivilliputtur.

<https://hcservices.ecourts.gov.in/hcservices/>



- 2.The Chief Educational Officer,
Virudhunagar District.
- 3.The District Educational Officer,
Virudhunagar District,
Virudhunagar.

COPY TO:

The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.THIRUNAVUKKARASU, Advocate (SR-32199[F]
dated 22/10/2021)

C.R.P (MD) No.1558 of 2021
21.10.2021

KMV (CO)
GC/PM(12.11.2021) 3P 6C