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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.06.2022

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

C.R.P. (NPD) No.1763 of 2022

K.Jayalakshmi

...

Petitioner /
Plaintiff

versus

R.Rudramurthy (deceased)

J.Padmavathi (deceased)

1.R.Pushparkaran

2.R.Karpagam

3.R.Thangam

4.R.Sakthivel

5.R.Mahalakshmi

...

Respondents /
Defendants

PRAYER: Civil Revision Petition has been filed under Article 227 of the Constitution of India, to direct the learned XI Assistant Judge, City Civil Court, Chennai, to dispose of the case in I.A.No.7130 of 2011 in O.S.No.7376 of 1997, within a stipulated time fixed by this Court.

For Petitioner

: Mr.R.Arunkumar



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ORDER

This Civil Revision Petition has been filed seeking for a direction to the learned XI Assistant Judge, City Civil Court, Chennai, to dispose of the case in I.A.No.7130 of 2011 in O.S.No.7376 of 1997.

2. The learned counsel for the petitioner submitted that his petition to pass final decree in I.A.No.7130 of 2011 is getting delayed for a long time.

3. As per the report of the learned trial Judge, it is seen that the Advocate Commissioner was appointed to visit, measure and file a report. The report of the Advocate Commissioner was also filed. Since the respondents 1 and 2 died, steps were taken for impleading the legal representatives. In the meanwhile, the matter was referred to mediation and in the mediation that matter was not settled. Again when the matter was posted on 17.06.2022, there was no representation for the petitioner and the matter now posted to 05.07.2022.



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4. Despite this petition is filed for early disposal of the proceedings, the petitioner made herself absent when the case was posted for “enquiry”. Unless the party to the proceedings cooperate with the Court by making their appearance for each and every hearing, it will not be possible for the Court to dispose the case early.

5. Taking into consideration of the long pendency of the final decree proceedings, it will be well if the learned trial Judge disposes the same at the earliest.

6. This Civil Revision Petition is disposed of and the learned XI Assistant Judge, City Civil Court, Chennai, is directed to dispose of the case in I.A.No.7130 of 2011 in O.S.No.7376 of 1997 as expeditiously as possible. No costs.

29.06.2022

Speaking order / Non-speaking order

Index : Yes / No

Internet : Yes

sri

R.N.MANJULA, J.

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WEB COPY To

The XI Assistant Judge,
City Civil Court, Chennai.

C.R.P. (NPD) No.1763 of 2022

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