



WEB COPY



C.R.P.(PD) No.1518 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2022

CORAM : JUSTICE N.SESHASAYEE

C.R.P.(PD) No.1518 of 2022

Ameenullah ... Petitioner/ 2nd Respondent /1st Defendant

Vs.

1.Ubayathullah ... 1st Respondent/1st Respondent/Plaintiff
2.Sounthagani ... 2nd Respondent/Petitioner/2nd Defendant
3.Rathenam ... 3rd Respondent/3rd Respondent/
3rd Defendant

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, praying to direct the lower Court to dispose I.A.No.188 of 2012 in O.S.No.6 of 2009 on the file of the Additional District Judge, Mayiladuthurai, at an early date upon hearing the available parties to the suit.

For Petitioner : Mr.PL.Narayanan



WEB COPY



C.R.P.(PD) No.1518 of 2022

ORDER

The revision petitioner is the first defendant in O.S.No.6 of 2008, and he has filed this revision to direct the learned Additional District Judge, Mayiladuthurai, to dispose of the application in I.A.No.188/2012 in O.S.No.6 of 2008, at an early date.

2. In a suit for partition, a preliminary decree was passed, and that the second defendant is entitled to a certain share in the suit properties, and that he has taken out an application in I.A.No.188/2012 in O.S.No.6 of 2008, for passing final decree.

3. This Court was informed that not even a Commissioner was appointed on this application for the last ten years. If the statement is true, then it is more shocking and painful to the Court. The learned counsel is required to appoint a Commissioner forthwith, and dispose of the entire matter latest by December 2022. If, on the contrary, a Commissioner has been appointed, the learned Additional District Court, Mayiladuthurai, is required to ensure that the Commissioner's report is filed at the very



C.R.P.(PD) No.1518 of 2022

earliest, and proceed to dispose of I.A.No.188/2012 (the final decree application), latest by October 2022.

4. The revision petition is disposed of accordingly. No costs.

27.04.2022

Index : Yes / No

Internet : Yes / No

Speaking order / Non-speaking order

ds

To:

The Judge

Additional District Court

Mayiladuthurai.



WEB COPY



C.R.P.(PD) No.1518 of 2022

N.SESHASAYEE.J.,

ds

C.R.P.(PD) No.1518 of 2022

27.04.2022