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C.R.P.(PD)No.3231 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P.(PD)No.3231 of 2014

S.P.Ramalingam

.. Petitioner

Vs.

1.Vimala

2.Vijai @ Ganesh

3.R.Chitra

4.Banureka

.. Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, for a direction to the learned Subordinate Judge, Mettur to dispose of I.A.No.226 of 2009 in O.S.No.182 of 2003 within the stipulated time as fixed by this Court.

For Petitioner : Mrs.N.Premalatha

for Mr.R.Nalliyappan

For R4 : No appearance

ORDER

1/5



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(The matter is heard through “Video-conferencing”)

The Civil Revision Petition is filed for a direction to the learned Subordinate Judge, Mettur, to dispose of I.A.No.226 of 2009 in O.S.No.182 of 2003 within the stipulated time as fixed by this Court.

2.Though notice has been served on the 4th respondent and her name is printed in the cause list, there is no representation for her either in person or through counsel.

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

4.The petitioner is 1st defendant, respondents 1, 2 and 4 are defendants 2 to 4 and 3rd respondent is plaintiff in O.S.No.182 of 2003 on the file of the Sub Court, Mettur. The 3rd respondent filed the said suit for partition claiming 1/4th share in the suit property consisting of two items of suit property. A preliminary decree was passed on 27.11.2006



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granting 1/5th share in the 1st item of the property to the 3rd respondent.

The petitioner filed I.A.No.226 of 2009 for passing final decree.

According to the petitioner, the said application is pending from the year 2009 and hence, he filed the present Civil Revision Petition for speedy disposal of the said I.A.

5.The learned counsel appearing for the petitioner submitted that in the application, Advocate Commissioner earlier appointed has not taken any steps. The learned Judge appointed new Advocate Commissioner and he has also not filed report in Court. The learned counsel for the petitioner is not in a position to tell the date of appointment of new Advocate Commissioner. Considering the age of the petitioner and pendency of I.A. from the year 2009, the learned Subordinate Judge, Mettur, is directed to dispose of I.A.No.226 of 2009 in O.S.No.182 of 2003 within three months from the date of receipt of a copy of this order.

6.With the above direction, the Civil Revision Petition is disposed



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of. No costs.

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Index : Yes/No

Internet: Yes/No

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To

The Subordinate Judge
Mettur.



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V.M.VELUMANI,J.

Kj

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