



C.R.P.No.3404 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.3404 of 2022

S.Ezhumalai

... Petitioner

VS

Marimuthu (Died)
Purgunan (Died)

- 1.Panchali
- 2.Janakiraman
- 3.Valliammai
- 4.Thayammal
- 5.Selvakumar
- 6.Ambika
- 7.Sakunthala
- 8.Rudramoorthy
- 9.Somasundaram @ Moorthy
- 10.Jayamoorthy @ Kumarasamy
- 11.Ganesan @ Sekar
- 12.Parameswari
- 13.Thogai
- 14.Ekkamma
- 15.S.Namasivayam

... Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to direct the Trial Court (Additional Subordinate Judge's Court, Tindivanam) to dispose of the suit in O.S.No.10 of 2011 on its file as early as possible, by allowing this Civil Revision Petition.



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For Petitioner : Mr.T.Dhanasekaran

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ORDER

This Civil Revision Petition is filed seeking a direction to the learned Additional Subordinate Judge, Tindivanam to dispose of the suit in O.S.No.10 of 2011 within the time stipulated by this Court.

2. Having regard to the limited prayer made in this revision, this Court is inclined to dispose the civil revision petition, even without notice to the respondents.

3. The 1st to 13th respondents herein filed a suit for partition against the petitioner and 15th respondent in O.S.No.10 of 2011. The petitioner is the 1st defendant in the suit.

4. The perusal of the e-court entry furnished in the typed-set of papers would suggest that the suit was posted for recording of evidence as early as on 15.09.2015 and after completion of trial, the suit was posted for advancing



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arguments on 10.07.2018. Thereafter, there has been no substantial progress in the proceedings.

5. The learned counsel for the petitioner submits that there is no impediment to the Court below to proceed with the hearing of the suit, as there is no interim order granted either by the appellate forum or revisional forum. The same is recorded.

6. In view of the facts mentioned above, this Court is inclined to issue a direction to the learned Additional Subordinate Judge, Tindivanam to dispose of the suit in O.S.No.10 of 2011 within a period of six months from the date of receipt of copy of this order.

7. With the above direction, the Civil Revision Petition is disposed of.
No costs.

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Index : Yes / No
Speaking Order : Yes / No
dm

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S.SOUNTHAR, J.

dm

To

The Additional Subordinate Judge,
Tindivanam.

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