



CRP(MD)Nos.1563, 1564 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

CRP (MD) Nos.1563, 1564 of 2022

Elizabeth : Petitioner

Vs.

Kannimariyal (Died)

2.Yesumony Mary : Respondents

COMMON PRAYER: Civil Revision Petitions filed under Article 227 of the Constitution of India seeking a direction for early disposal of the proceedings in I.A.Nos.35 of 2010 & 290 of 2014, respectively, in O.S.No.56 of 2005 on the file of the I Additional Sub Court, Nagercoil.

For Petitioner : Mr.K.P.Narayanakumar

For Respondents : No appearance

COMMON ORDER

The petitioner is the first defendant in the suit in O.S.No.56 of 2005 on the file of the I Additional



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Sub Court, Nagercoil. The suit was filed by the respondents / plaintiffs for partition and preliminary decree was passed as early as on 31.03.2006.

2.CRP(MD)No.1563 of 2022 is filed seeking early disposal of I.A.No.35 of 2010 in O.S.No.56 of 2005, which was filed for final decree.

3.CRP(MD)No.1564 of 2022 is filed seeking early disposal of I.A.No.290 of 2014 in O.S.No.56 of 2005, which was filed as against the Commissioner's report filed in the final decree application.

4.Learned Counsel for the petitioner submitted that both the interlocutory applications are pending from the year 2010 & 2013 respectively and therefore, the petitioner has come forward with these revision petitions for early disposal of the proceedings.



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5. Though notice was ordered to the respondents, it was returned with an endorsement 'door locked'. Therefore, another notice was ordered, which was returned as 'refused'. Therefore, the matter is listed today, in the name of the respondents, but there is no representation on their behalf.

6. Considering the fact that the interlocutory applications of the year 2010 & 2014 are still pending and also considering the age of the suit, these revision petitions are disposed of, with a direction to the trial Court to dispose of I.A.Nos.35 of 2010 & 290 of 2014, respectively, in O.S.No.56 of 2005, on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order. There shall be no order as to costs.

Index : Yes / No
Internet : Yes
gk

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B.PUGALENDHI, J.

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To

The I Additional Subordinate Judge,
Nagercoil.

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