



C.R.P (MD) No.1846 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 13.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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V.Ponramu

... Petitioner

Vs

- 1.R.Santhanakrishnan (died)
- 2.Chandrasekaran
- 3.Marimuthu
- 4.Renganayaki
- 5.S.Kannan
- 6.Kalavathi
- 7.Annasamy Mantrayar
- 8.Vembu Ammal
- 9.Mariammal
- 10.S.Kala
- 11.Balaji
- 12.Shankar Ganesh
- 13.Venkatachala Udayar
- 14.Pavunammal
- 15.Dhanapakiam
- 16.Pushpavalli
- 17.Tamilarasi
- 18.Kalaierasi
- 19.Mangaiyarkarasi



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- 20.Karupukkarasi
- 21.Elavarsi
- 22.Lakshmi
- 23.Annadurai
- 24.Ramasamy
- 25.Janab Nazeer Ahamed
- 26.Thiyagarajan
- 27.Vijaya
- 28.Krishnan
- 29.K.Lalithambal
- 30.T.Elangovan
- 31.K. Ventatesan
- 32.S.R.Gopalakrishnan
- 33.Jayakumar
- 34.Govindasamy
- 35.C.Palaniyammal
- 36.A.Kilara
- 37.Kesavakumaran
- 38.Nagarajan
- 39.K.Ramalingam
- 40.V.Pandian
- 41.K.Kannan
- 42.Chidambaram
- 43.Kannaiyan
- 44.Elangovan
- 45.Manivannan
- 46.Krishnamoorthy
- 47.Sakthivel
- 48.Khadar Beevi
- 49.Munniappan
- 50.Ravichandran
- 51.Thangam
- 52.Usha Rani



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- 53.Swaminathan
54.Subramanian
55.Sridhar
56.Sachidhanandam
57.Masilamani
58.Panneerselvam
59.Subramanian
60.Gunaseelan
61.Anthonysamy
62.A.Arockiasamy
63.Sambandham
64.Chandramohan
65.Ramanathan
66.Kaliyaperumal
67.Jayabal
68.T.Govindasamy
69.Nagarajan
70.Arul Amaran
71.Narayanaswamy
72.Palanisamy
73.Selvaraj
74.Boopathy
75.Mohan
76.Jeeva Jothi
77.S.Ravichandran
78.Marimuthu
79.Venkataramani
80.Bragadeeswaran
81.C.Govindarajan
82.Arulanandhu
83.Swaminathan
84.T.Nehru
85.Manivannan



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- 86.Samidurai
87.C.Chinnathambi
88.M.Paramasivam
89.V.Thirumavalavan
90.Viruthashanthi
91.Irudhayaraj
92.S.Parthasarathy
93.A.Ganesan
94.A.Govindarajan
95.Nagarajan
96.Indra
97.Banumathi
98.A.Manoharan
99.P.Muthukrishnan
100.Kasturi
101.Lakshmi
102.Balasubramanian
103.Gunasekar
104.T.Muhilan
105.Aranganathan
106.G.Jayaraman
107.S.Rajendran
108.R.Anbalagan
109.Kousalya
110.S.Maheshwari
111.K.Thangavelu
112.C.Chelladurai
113.R.Elango
114.V.Pannaiyan
115.Veeramani
116.S.Elangovan
117.Bhuvaneswari
118.Kalaiselvan



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- 119.Ezhilarasi
120.Kaliyaperumal
121.Elamaran
122.Bhuvaneswari
123.Krishnan
124.Chitra
125.S.Rajendran
126.K.Mallika
127.Shanmugam
128.G.Nagarajan
129.Sundaram
130.Pandian
131.K.Ilayaraja
132.Rethinam
133.K.Nandakumar
134.Balasubramanian
135.B.Usharani
136.M.Shankar
137.K.Suseela
138.K.Baskaran
139.C.Kribakaran
140.G.Sundararajan
141.Vallam Town Panchayat
142.Thangam
143.Amalraju

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the learned II Additional District Judge, Thanjavur to dispose of A.S.No.35 of 2013 within three months or time the time framed by this Court.



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For Petitioner : Mr.M.Rajeswari

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ORDER

This petition has been filed to direct the learned II Additional District Judge, Thanjavur to dispose of A.S.No.35 of 2013 pending on his file, within the stipulated time fixed by this Court.

2.The learned Counsel appearing for the petitioner submits that the petitioner/plaintiff filed a suit in O.S.No.62 of 2005 on 05.07.2005 for the relief of partition. A preliminary decree was passed by the trial Court on 12.08.2013. As against the order passed by the trial Court, the defendants 17, 35, 52, 110, 111, 120, 118, 121 and 130 have filed an appeal in A.S.No.35 of 2013 on 06.12.2013, before the II Additional District Court, Thanjavur and the same is still pending. The grievance of the petitioner is that the appeals in A.S.No.31 of 2014 and 40 of 2014 filed by other defendants as against O.S.No.62 of 2005 have been disposed off by the first Appellate Court.The petitioner is aged



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about 65 years, and even after the suit was decreed in the year 2013, due to pendency of A.S.No.35 of 2013, he could not enjoy the fruits of the decree so far. Hence, he prays this Court to direct the learned II Additional District Judge, Thanjavur to dispose of A.S.No.35 of 2013 at the earliest possible time.

3.Since no adverse order is going to be passed as against the respondents, notice to them is dispensed with.

4.It is seen from the records that the petitioner is the plaintiff in O.S.No.62 of 2005 and preliminary decree was passed by the trial Court on 12.08.2013. Challenging the same, the defendants 17, 35, 52, 110, 111, 120, 118, 121 and 130 have filed Appeal in A.S.No.35 of 2013 on 06.12.2013, before the II Additional District Court, Thanjavur. From the abstract of the case details, it is seen that the Appeal Suit in A.S.No. 35 of 2013 is posted under the caption for “arguments” from 10.09.2020 to 30.09.2021.



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5. Considering the submission of the learned counsel for the petitioner and also taking into consideration of the fact that the Appeal Suit of the year 2013 and it has been kept pending for nearly nine years, this Civil Revision Petition is disposed of with a direction to the learned II Additional District Judge, Thanjavur to dispose of A.S.No.35 of 2013, within a period of six months from the date of receipt of a copy of this order. No costs.

13.09.2022

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To

The II Additional District Court, Thanjavur



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B.PUGALENDHI, J.

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