



C.R.P PD(MD)No.1942 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 29.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

C.R.P(MD)No.1942 of 2022

Suresh

... Petitioner

Vs

1.VS Flour Mill,
A Partnership Firm,
Rep by its Managing Partner,
Prabhudas,
27, VS Complex, Ashok Nagar,
Guanmalai Street,
Karumandapam

2.Prabhudas

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the learned I Additional District Judge (PCR), Tiruchirappalli to dispose of I.A.No.1 of 2022 in O.S.No.382 of 2021, within a period of one month.



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For Petitioner : Mr.K.Prabhakar
For Respondents : Mr.S.Vinayak

ORDER

This Civil Revision Petition is filed for early disposal of I.A.No.1 of 2022 in O.S.No.382 of 2021, pending on the file of the I Additional District Court (PCR), Tiruchirappalli within a period of one month.

2.The learned Counsel appearing for the petitioner submits that the suit in O.S.No.382 of 2021 is filed for dissolution of partnership firm M/s.V.S.Flour Mill and to direct the first defendant to pay half share of the profit to the plaintiff. Pending the suit, I.A.No.1 of 2021 was filed by the petitioner herein to appoint a Receiver to run, operate and administer the above Partnership Firm and his business till the disposal of the suit. The grievance of the petitioner is that since the respondent took time to file counter affidavit, the above interlocutory



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application was periodically adjourned. Thereafter, counter affidavit was filed on 06.09.2022. Even then, the trial Court has not proceeded further with the application. Hence, the petitioner is before this Court with the present Civil Revision Petition seeking early disposal of I.A.No.1 of 2022 in O.S.No.382 of 2021.

3.This Court considered the submissions of the learned counsel for the petitioner and also perused the materials placed on record.

4.It is seen from the records that the above suit is filed for dissolution of partnership firm M/s.V.S.Flour Mill, Trichy and to direct the first defendant to pay half share of the profit to the plaintiff. Pending the suit, I.A.No.1 of 2021 was filed by the petitioner herein for appointment of Receiver for administration of the above partnership firm. In the above interlocutory Application, counter affidavit was filed



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on 06.09.2022. Thereafter, it was adjourned to 16.09.2022 and 11.10.2022.

5.Considering the limited prayer sought for by the petitioner, and also taking into consideration of the fact that counter affidavit was filed in the above Interlocutory Application on 06.09.2022, this Court is inclined to allow this Civil Revision Petition with a direction to the learned I Additional District Judge (PCR), Tiruchirappalli, to dispose of I.A.No.1 of 2022 in O.S.No.382 of 2021, within a period of one month from the date of receipt of a copy of this order.

6. With the above direction, this Civil Revision Petition is allowed. No costs.

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Index : Yes / No.

Internet : Yes / No.



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To

The I Additional District Court (PCR), Tiruchirappalli,



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B.PUGALENDHI, J.

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