



C.R.P.(PD).No.1454 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2023

CORAM:

THE HONOURABLE Dr. JUSTICE D. NAGARJUN

Civil Revision Petition (PD).No. 1454 of 2023

A.S.Noorjahan

... Petitioner/1st defendant

Vs.

1.A.S.Ayub

... Respondent/plaintiff

2.A.S.Amitha Banu

3.A.S.Zharina Banu

4.A.S.Alavudeen

... Respondents/defendants

Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the Subordinate Judge's Court at Tirupattur, Tirupattur District to dispose of the suit in O.S.No.45 of 2022, within the stipulated time fixed by this Court.

For Petitioner : Mr.S.Arivazhagan



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ORDER

Heard the learned counsel appearing for the revision petitioner/1st defendant.

2. The Civil Revision Petition is filed, seeking for a direction to the learned Subordinate Judge, Tirupattur, to dispose of O.S.No.45 of 2022, filed by the first respondent, who is the son of the petitioner, seeking partition of the Schedule of the property.

3. According to the revision petitioner, the schedule of property is the subject matter of the suit property of the petitioner and thereby, she moved an application in I.A.No.1 of 2022, under Order VII Rule 11 CPC, seeking rejection of the plaint and the respondents/defendants seems to have not filed counter and thereby, the matter is kept pending. The petitioner has also filed copies of the proceedings before the Trial Court.

4. Considering the nature of the suit and also the proceedings before the trial Court and also the age of the petitioner, which is stated to be 78 years, the learned Subordinate Judge, Tirupattur, is directed to fix a



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specific date for filing of counter in I.A.No.1 of 2022 and on in order to filing of the counter, the learned Subordinate Judge, Tirupattur, is directed to dispose of the same as expeditiously as possible, but not later than two months from the date of receipt of a copy of this Order.

5. With the above directions, this Civil Revision Petition is disposed of. There shall be no order as to costs.

28.04.2023

ssi

Index: Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

1. The Subordinate Judge,
Tirupattur.
2. The Section Officer, V.R.Section,
High Court, Madras.



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Dr. D. NAGARJUN, J.,

ssi

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