



C.R.P. NO.1836 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2023

CORAM:

THE HON'BLE DR.JUSTICE D.NAGARJUN

C.R.P.No.1836 of 2023

Kamala

... Petitioner

Vs.

1.V.L.Paramasivam
2.L.Dhakshinamurthy
3.L.Sadasivam
4.L.Bhuvaneswari
5.M.Saravanan
6.S.Giribabu
7.S.Pasupathy
8.S.Nandhakumar
9.S.Dhanasekar
10.D.Chandramouli

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to direct the issuance of final decree passed in I.A.No.213 of 2016 in O.S.No.158 of 2010 on the file of the III Additional District and Sessions Judge, Virudhachalam, Cuddalore District, insofar as the petitioner's/4th defendant's share is concerned, pursuant to the non-judicial stamp papers furnished by her on 13.09.2019 in D.No.1447 of 2019 and followed by her Memo dated 15.10.2019 within a time frame as may be fixed by this Court.



C.R.P. NO.1836 of 2023

For Petitioner : Mr.R.Veeramani

WEB COPY

ORDER

Heard Mr.R.Veeramani, learned counsel for the petitioner and perused the records.

2. This civil revision petition is filed seeking for a direction to the learned III Additional District and Sessions Judge, Virudhachalam, Cuddalore District to consider the non-judicial stamp papers filed by the petitioner to engrave the final decree in favour of the petitioner as per the terms of the final decree.

3. It is submitted by the learned counsel for the petitioner that the petitioner herein, who is the fourth defendant in O.S.No.158 of 2010 has filed the suit for partition and separate possession. The said suit was decreed and a preliminary decree has already been passed. Subsequently, final decree has also been passed on 04.04.2019. Consequently, the petitioner/fourth defendant has deposited non-judicial stamp duty on 30.09.2019 in Diary No.1447 of 2019. However, final decree has not been



C.R.P. NO.1836 of 2023

engraved allegedly on the ground that the other parties to the final decree have not deposited stamp duty.

4. Considering the circumstances, the learned III Additional District and Sessions Judge, Virudhachalam, Cuddalore District is directed to dispose of the grievance of the petitioner in respect of engraving the final decree on the basis of the stamp papers filed by him without waiting for furnishing the stamp papers by the other parties, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, this civil revision petition is disposed. There shall be no order as to costs.

19.06.2023

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
ms

To

The III Additional District and Sessions Judge,
Virudhachalam, Cuddalore District.



WEB COPY



C.R.P. NO.1836 of 2023

Dr.D. NAGARJUN, J.

ms

C.R.P.No.1836 of 2023

19.06.2023