



C.R.P. No. 2217 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.07.2023

CORAM :

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN
C.R.P. No. 2217 of 2023

1. S. Palanisamy
2. Santhi

...Petitioners

.Vs.

- Murugesan (died)
- 1.Tamil Selvi
 2. Ananthi
 3. Unnathal
 4. Chitra
 5. Indirakumar
 6. Jegdesh
 7. Kanniyammal
 8. Karunambal
 - 9.Kandasamy
 10. Natarajan
- Rathinambal(Died)
11. Sundarambal
 12. Lakshmi
 13. Kalamani
 14. S. Sundararaj
 15. Kamalathal
 - 16.Loganathan
 17. S. Jeevanandam
 - 18.Kalaivani
 19. R. Sivasamy

...Respondents



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Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to direct the learned Subordinate Judge, Avinashi, Tiruppur District to try and dispose of the suit in O.S.No.290 of 2016 (Erstwhile O.S.No. 275 of 2010 Principal Subordinate court, Tiruppur) pending on its file within the time fixed by this Hon'ble Court.

For Petitioner : Mr. R. Prabakar

ORDER

This petition is filed seeking a direction to direct the learned Subordinate Judge, Avinashi, Tiruppur District to try and dispose of the suit in O.S.No.290 of 2016 (Erstwhile O.S.No. 275 of 2010 Principal Subordinate court, Tiruppur) pending on its file

2. The facts of the case is that initially a suit was filed in O.s.No.275 of 2010 before the Principal Subordinate Court, Tiruppur by the deceased first plaintiff for partition and seperate possession of the subject property. Thereafter, due to bifurcation of the jurisdiction and establishment of the Subordinate Court in Avinashi the suit in O.S.No.275 of 2010 on the file of the Subordinate Court Tiruppur was transferred to Subordinate Court, Avinashi in the year 2016 and the same was re-numbered a O.S.No.290 of 2016. However till date there is no progress in the said suit and the same is



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pending for 7 years. Hence the petitioner has filed this petition seeking a direction to dispose of the said suit as early as possible.

3. The learned counsel for the petitioner submitted that the suit proceedings was unnecessarily dragged by the respondents in order to deprive their right over the subject property. He further submits that it would be suffice if a direction is issued to the learned Subordinate Judge, Avinashi, Tiruppur District to try and dispose of the suit in O.S.No.290 of 2016 as early as possible.

4. In view of the above, the learned Subordinate Judge, Avinashi, Tiruppur District is directed to dispose of the suit in O.S.No.290 of 2016 as expeditiously as possible.

5. With the above directions, this Civil Revision Petition is disposed of. No order as to costs.

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smn

Index : Yes/No

Internet: Yes/No

To.

1. The Subordinate Judge, Avinashi, Tiruppur District



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V.BHAVANI SUBBAROYAN,J.
Smn

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