



WEB COPY



CRP.No. 2410 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2023

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

CRP.No. 2410 of 2023

and

CMP.No. 12932 of 2023

M.Manivannan

.. Petitioner

Versus

1.M. Gowtham

2.M.Shalini

3.Jaya

.. Respondents

Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to direct the Sub-Court, Sankari, Salem District to dispose of the suit in O.S.No. 52 of 2018 in its file within the time limit to be stipulated by this Court.

For Petitioner : Ms.G.Ambika

ORDER

This Civil Revision Petition is filed seeking a direction to dispose of the suit in O.S.No. 52 of 2018 pending on the file of Sub-Court, Sankari, Salem District.

2. The learned counsel for the revision petitioner/1st defendant



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submitted that the respondents1&2/plaintiffs has filed the suit in O.S.No. 52 of 2018 before the Subordinate Judge, Sankari, for partition to divide the suit properties into three equal shares and allot two such contiguous share to the plaintiffs making provision of passing final decree and for permanent injunction restraining the 1st defendant from in any way alienating/encumbering the suit properties till passing final decree. The suit was filed in the year 2018 and the suit is pending for the past five years without any progress. The learned counsel further submitted that the respondents1&2/plaintiffs had filed the earlier suit in O.S.No. 20 of 2010 before the District Munsif Court, Sankari, Salem District, for the very same relief and the same was dismissed for non prosecution dated 17.02.2014. Now, the plaintiffs filed the present suit and it is posted for trial. The petitioner is an aged person and therefore, he is unable to deal with his properties in a free manner. Hence, the revision petitioner/1st defendant prayed a direction to dispose of the suit as expeditiously as possible.

3. In view of the above submission made by the learned counsel for the



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revision petitioner/1st defendant, this Court is inclined to pass the following order:-

“The trial Court is directed to dispose of the suit in O.S.No. 52 of 2018 pending on the file of Sub Court, Sankari, Salem District, as expeditiously as possible, preferably, within a period of one year from the date of receipt of a copy of this order”.

4. With the above direction, the Civil Revision Petition is disposed of.

No costs. Consequently, connected Micellaneous Petition is closed.

18.07.2023

MSM

To

1. The Sub Judge, Sankari, Salem District.
2. The Section Officer, V.R.Section,
High Court, Madras.



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V.BHAVANI SUBBAROYAN, J

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