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C.R.P.No.3659 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.10.2023

CORAM:

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

C.R.P.No.3659 of 2023

Joharathunnisa

... Petitioner

-Vs-

1.Abdul Halik
2.Haja Mohideen
3.Mohamed Hashim
4.Mohamed Thaha
5.Amadullah
6.Mohamed Jiyaudeen
7.Noorjahan
8.Noorul Janu
9.Noorul Thayeeba
10.Ravulathunnissa

... Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to direct the Principal Subordinate Judge, Mayiladuthurai to dispose of I.A. No.1 of 2019 in O.S. No.47 of 2000 within the time limit fixed by this Hon'ble Court.

For Petitioner

:

Mr.A.Abdul Ravoof



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ORDER

The Revision Petitioner herein is the 5th plaintiff in the suit in O.S.No. 47 of 2000, which was filed by her along with other plaintiffs for the relief of partition and a preliminary decree was passed in the year of 2003. Thereafter, to implement the decree, final decree application in I.A.No.1 of 2019 was filed. In that final decree application, advocate commissioner was appointed and subsequently, he visited the property, but so far report was not filed. Thereafter, due to non-appearance of parties, the said application was adjourned for several hearings. All these years, nearly about 3 years, the Commissioner has not filed the report and so also, the trial court is not inclined to pass any order in the final decree application, which was filed in the year of 2019.

2. Since the relief claimed by the Revision Petitioner only seeking a direction for a speedy disposal, the notice to the respondents is dispensed with.

3. Records perused. On perusal of records, it reveals that the suit was filed in the year of 2000 and all the parties are aged more than 65 years. So, on considering the fact that all the parties are senior citizens,



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this Court is inclined to direct the trial judge to dispose the Interlocutory Application filed I.A. No. 01 of 2019 on merits within a period of four weeks from the date of receipt of copy of this order. Accordingly, this Civil Revision Petition is disposed of. No costs.

10.10.2023

Index : Yes/No

Speaking Order : Yes/No

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N.B. : Issue order copy on 11.10.2023

To

The Principal Sub Judge, Mayiladuthurai.



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T.V.THAMILSELVI, J.

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