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C.R.P.(NPD).No.3454 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.09.2023

C O R A M

**THE HONOURABLE MRS.JUSTICE BHAVANI
SUBBAROYAN**

C.R.P.No.3454 of 2023

Banumathi

... Petitioner

Vs.

1.Suganya Devi

2.Jeyasri

... Respondents

PRAYER: This Civil Revision Petition has been filed under Article 227 of Constitution of India, praying to issue direction to the Principal District Court at Tiruppur to dispose of the suit in O.S.No.159 of 2022 within the time frame fixed by this Court.

For Petitioner : Mr.S.Ramajayam

ORDER

This Revision Petition has been filed by the petitioner herein to issue direction to the Principal District Court, Tiruppur to dispose the suit in O.S.No.159 of 2022 within the time frame fixed by this Court.

2. The case of the petitioner is that, the respondents herein are



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her own daughters. Since, there was issue with regard to the suit schedule property, 1st respondent filed a suit for partition in O.S.No.159 of 2022 against the petitioner and the 2nd respondent. Though the petitioner had made several attempts to compromise with each other, her efforts had not yielded any fruitful results and that the 2nd respondent was not ready to solve the issue and also did not contest the case for speedy disposal of the same. The suit scheduled property absolutely belongs to the petitioner and the same was acquired by her by way of partition in the year 1973 and Settlement Deed of the year 2002. While that being the case, the petitioner is suffering from Chronic Liver Disease (Multiple heterogenously enhancing lesions in liver with hemorrhagic areas within as described – possibility of metastasis to be considered with background history of carcinoma of breast) and hence, filed the present Revision Petition.

3. The learned counsel for the petitioner submits that the petitioner wants to solve the issue between her two daughters before her death, since, she is suffering from Chronic Liver Disease along with carcinoma of breast. Hence, prays for allowing the Revision Petition by issuing a direction to the Principal District Court at



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Tiruppur for speedy disposal of the O.S.No.159 of 2022.

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4. Heard the learned counsel for the petitioner and perused the materials available on record before this Court.

5. Considering the fact that the petitioner is aged about 76 years and suffering from Chronic Liver Disease along with carcinoma of breast and without going into the merits of the case, this Court is of the view that it would be appropriate to issue direction as to the Principal District Court at Tiruppur. Accordingly, this Court directs the Principal District Court at Tiruppur to dispose of the O.S.No.159 of 2022 as expeditiously as possible within a period of one year from the date of receipt of a copy of this order.

6. Accordingly, this Civil Revision is disposed of. No costs.

21.09.2023

Index:Yes/No
Internet:Yes/No
Speaking Order/Non Speaking Order

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V.BHAVANI SUBBAROYAN., J.

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To

The Principal District Court,
Tiruppur.

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