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C.R.P.No.4138 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2023

CORAM:

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

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Sivakami

... Petitioner

-Vs-

Ellammal (Died)
S.Sachidanandam (Died)

1.S.Vivekanandan
2.S.Chakravarthy
3.S.Achudan
4.S.Shankar

S.Suseela (died)

5.T.Muralikrishna
6. Bhuvaneswari
7. Shanmuganathan
8.Sivakumar
9.Mohanasundaram
10.Ashok Kumar

... Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to issue appropriate direction for early



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disposal of IA No.1 of 2021 in OS No.140 of 2006 on the file of the 2nd Additional District Court, Thiruvallur at Poonamallee within a time frame that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.S.Sai Shankar

ORDER

The Revision Petitioner/plaintiff filed a suit in O.S.No.140 of 2006 on the file of 2nd Addl. District Court, Thiruvallur at Poonamallee and he has also filed an application in I.A.No.1 of 2021 praying to amend the preliminary decree dated 30.09.2008 passed by this Court, which has been modified by this court and the Apex Court by way of judgment dated 25.11.2016 and 24.11.2017 respectively in so far Schedule 'A' and Schedule 'B' of the properties are concerned by allotting 1/6th share in 'A' schedule and 'B' schedule properties. That application was pending nearly about two years without any progress. Therefore, he wanted to direct the trial court to dispose the case as early as possible.

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.



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3. Considering the facts and circumstances and the fact that though the suit was filed in the year of 2006 and the preliminary decree was passed in the year of 2008, but thereafter, no other proceedings are followed and now it reaches finality. At this stage, plaintiff filed an application praying to amend the decree and that application was pending for more than two years without any progress and also the fact that the plaintiff is aged about 70 years old senior citizen, this Court is inclined to direct the trial judge to dispose the application within a period of six weeks from the date of receipt of copy of this order. Accordingly, this Civil Revision Petition is disposed of. No costs.

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Index : Yes/No
Speaking Order : Yes/No
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To

The 2nd Additional District Judge,
Thiruvallur at Poonamallee.



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T.V.THAMILSELVI, J.

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