



C.M.P.No.24452 of 2023 in  
C.R.P.No. 715 of 2023

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**T.V.THAMILSELVI, J.**

This Civil Miscellaneous Petition has been filed seeking to extend the time for disposal of the suit in O.S.No.672 of 2020 on the file of I Addl. District Court, Coimbatore by modifying the order dated 14.03.2023 made in C.R.P.(PD) No. 715 of 2023.

2. Heard both sides.

3. The reason assigned for extension of time is that inspite of the order passed by this court to dispose the case within a period of six months in C.R.P.No.715 of 2023, however the 1<sup>st</sup> respondent/plaintiff is not cooperating with the proceedings for disposal of the case and she is going on filing Interlocutory Applications. To that effect, the learned counsel for 5<sup>th</sup> respondent Kavitha filed dates and events of the case from 05.04.2023 to 18.10.2023.



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4. On perusal of dates and events, it would reveals that I.A.Nos. 3/2020, and 14/2022 were taken on file and I.A.No.16 of 2023 was filed only after the direction of this court. So, as on date, number of applications were taken on file and one of application was filed, due to which, the trial could not be completed within the stipulated time. Now, the case is posted for P.W.1 chief examination. As per the order passed in I.A.No.3 of 2023, one item is enjoyed by the Revision Petitioner/daughter and another item is enjoyed by respondents 2 and 5/sons. The learned senior counsel for 5<sup>th</sup> respondent Kavitha would also submit that as a sister of plaintiff, she is also entitled to look after the shop and she may be permitted to manage the affairs of item No.1 of jewellery shop. But, the learned counsel for Revision Petitioner would submit that now the trial was begun and at this stage, if such permission is granted, it will lead to multiplicity of proceedings. Furthermore, inspite of direction of this court, the trial judge could not complete the trial.



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5. Considering the submissions of both sides and on considering the facts and circumstances and the fact that since because the time already granted by this court is going to expire, this court is inclined to extend the time for the period of four months to complete the trial proceedings and dispose the suit from the date of receipt of copy of this order and if the trial is not completed within the stipulated time, the contentions of 5<sup>th</sup> respondent about her participation in the affairs of 1<sup>st</sup> item will be taken into consideration.

**20.10.2023**

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**T.V.THAMILSELVI, J.**

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