



C.R.P.(MD) No.1588 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.07.2023

CORAM

THE HON'BLE **MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI**

C.R.P.(MD) No.1588 of 2023

Nazeer Ahahmed

... Petitioner

Vs.

Abdul Salam (Died)

Bathurunisha (Died)

Ummul Hasaanath (Died)

1.Asma Beevi

2.Janab Habeebur Rahman

3.Rameela Beevi

4.Abdul Hameed

Samsunish (Died)

5.Thajunnisa Bibi

Noorzahan (Died)

6.Subitha Beevi

7.Ayisha Beevi

8.Janab Abdul Kasim



C.R.P.(MD) No.1588 of 2023

9.Pappammal

Kaja Mohideen (Died)

10.Maimoon Bibi

11.Janab P.C.A. Kaleezlur Rahman

12.Janab Mohamed Farook

13.Subaidha Bibi

14.Janab Mohammed Shareef

15.Kairunhisa Begam

16.Tajdeen

17.Jeenathunnisa Begam

18.Kathija Beevi

19.Ameena Beevi

20.Shajahan

Sabeera Bebi (Died)

Jawaharanisha (Died)

21.Bazheera Begam

22.Ayisa Beevi

23.S.A.Habeebur Rahman

24.S.A.Abdul Rasheeth



C.R.P.(MD) No.1588 of 2023

25.S.A.Sulthan Ibrahim

26.S.A.Jamal Mohamed

27.S.A.Ayisa

28.S.A.Kajamoideen

29.Fathima Beevi

30.Abdul Gani

31.Fowjiya Begam

Mohamed Ali (Died)

32.Arifa Begam

33.Habeebunnisha Begam

34.Mohamed Farook

35.Sowkath Ali

36.Junaitha Begam

37.Sabarooth Begam

Mumtaj Begaum (Died)

38.Saraammal

39.Ahamed Sait

40.Jabarulla

41.Jamal Mohamed

42.Akbar Ali



C.R.P.(MD) No.1588 of 2023

43.Mohamed Iliyas

44.Arifba Beguam

45.Kaleel Rahaman

46.Ayesha Beevi

47.Mohamed Sirajudheen

48.A.Jamman Begam

49.A.Mohammed Sihabudheen

50.S.Aakila Begam

51.Junaitha Parveen

52.Jaithoon Banu

53.A.Habeen Rahuman

54.A.Mujibur Rahman

55.M.Fathima Begam

56.J.Amina Parveen

57.A.Kaleel Ahamed

58.Samsat Begam

59.Mohamed Thoufeek

60.Sulthan Tajdeen

61.Mohamed Tharis



C.R.P.(MD) No.1588 of 2023

62.Thamimul Ansari

63.A.Sheik Abdulla

64.Syed Ibrahim

65.S.Asif Maideen

66.A.Mohamed Ismail

67.M.Sabura Begam

68.M.Mohamed Iliyas

69.M.Sumaiya Begam

70.M.Hajarammal

71.M.Syed Abuthahir

72.Syed Mohamed

73.Mohamed Jeydeen

74.Mohamed Farook

75.Jahir Ali

76.Mujbar Rahaman

77.Ubaithur Rahaman

78.Mohamed Yaseen

79.Ameena Begam

P.C. Mohamed Ibrahim (Died)

PCA.Abdul Azees (Died)



C.R.P.(MD) No.1588 of 2023

WEB CONTENT PCA.Mohamed Jabar (Died)

80.Alima

81.Mohamed Rabesh

82.M.Raziya

83.Aysha Rahina

84.Mohamed Sahapudin

85.Fathima Rajana

86.Parisha Beevi

87.A.Sabeer Hamad

88.Nazeer Mohideen

89.Aysha Beevi

90.A.Sheik Allaudeen

91.Mohamed Hussain

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the Sub Court, Vedachandur, to dispose of I.A.No.43 of 2018 in O.S.No.1 of 2012 on the file of the Sub Court, Vedachandur within the time stipulated by this Court.

For Petitioner : Mr.A.Shajahan



C.R.P.(MD) No.1588 of 2023

ORDER

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This Civil Revision Petition is filed to direct the Sub Court, Vedachandur, to dispose of I.A.No.43 of 2018 in O.S.No.1 of 2012 on its file within a time to be stipulated by this Court.

2. The petitioner is the Plaintiff No.12 in O.S.No.1 of 2012 on the file of the Sub Court, Vedachandur. The suit was originally filed before the Subordinate Court, Dindigul in O.S.No.69 of 1983 which was later transferred to the Sub Court, Vedachandur and renumbered as O.S.No.1 of 2012. A preliminary decree was passed in the suit in O.S.No.1 of 2012 on 29.11.2013. Aggrieved by the same, the defendants 50 to 58 preferred an appeal before the Principal District Court, Dindigul in A.S.No.19 of 2014 which was also dismissed by the Judgment and Decree dated 19.07.2017, against which, S.A(MD)No.175 of 2021 was filed before this Court. The said Second Appeal was dismissed *vide* Judgment dated 18.03.2021.

3. Thereafter, the petitioner filed I.A.No.43 of 2018 to pass a final decree in O.S.No.1 of 2012. Meanwhile, one Wasim Raja who purchased suit property from various plaintiffs filed I.A.No.500 of 2022 and the petitioner filed I.A.No. 502 of 2022 to amend the short cause title and long cause title.



C.R.P.(MD) No.1588 of 2023

4. According to the petitioner, the respondents 17, 18, 20, 21, 45, 76 were dragging the final decree proceeding by way of filing I.As. and the petitioner is unable to enjoy the fruits of the decree. It is submitted that though I.A. was filed for final decree and Advocate Commissioner was appointed and Report of the Advocate Commissioner was filed, the Trial Court has failed to pass final decree which causes great hardship to the petitioner.

5. Considering the grievance addressed by the petitioner, the learned Sub Judge, Vedachandur is directed to pass appropriate orders on merits in the final decree petition in I.A.No.43 of 2018 in O.S.No.1 of 2012, expeditiously, within a period of one month from the date of receipt of a copy of this order.

6. This Civil Revision Petition is disposed of . No cost.

06.07.2023

NCC :Yes/No
Internet: Yes/No
Index: Yes/ No
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To

The Sub Court,
Vedachandur.



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C.R.P.(MD) No.1588 of 2023

K.GOVINDARAJAN THILAKAVADI, J.

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C.R.P.(MD) No.1588 of 2023

06.07.2023