



C.R.P.(MD) No.1595 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.1595 of 2023

Muthu

... Petitioner

Vs.

1.Soundarrajan

2.Ramalingam Nayakkar

3.Nalluchamy

4.Dhanam

5.Duraichamy

6.Subramani

7.Alagar

8.Durai

9.Soosai Mary @ Soosaiammal

Subramani (Died)

10.Aarumagam

Sinthamaniammal (Died)

11.Saroja



C.R.P.(MD) No.1595 of 2023

12.Ramamoorthy

13.Anjammal

14.Kandasamy

15.Manikandan

16.Thangapandiyan

17.Saravanakumar

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India, to expedite the proceedings in O.S.No.363 of 2004 pending on the file of the Principal District Munsif Court, Manapparai and dispose of the same within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Rajamohan

ORDER

This Civil Revision Petition is filed to expedite the proceedings in O.S.No.363 of 2004 pending on the file of the Principal District Munsif Court, Manapparai and dispose of the same within a stipulated time that may be fixed by this Court.

2. The petitioner is the third defendant in O.S.No.363 of 2004.

According to the petitioner/third defendant, the first respondent/plaintiff filed



C.R.P.(MD) No.1595 of 2023

suit in O.S.No.363 of 2004 for partition of suit schedule property on the file of the Principal District Munsif Court, Manapparai. The said suit was allowed on 29.09.2016 as prayed for, against which, the petitioner/third defendant preferred an appeal in A.S.No.132 of 2016 on the file of the I Additional Sub Court, Tiruchy and the same was allowed in favour of the petitioner by remanding the case back to the Trial Court with a direction to implead one Chinthamani Ammal as a party to the suit and dispose of the suit within a period of 6 months from the date of receipt of the order.

3. Meanwhile, some of the defendants died and steps were taken and suit is now pending for taking steps under Order 22 Rule 4 of the Code of Civil Procedure, 1908 for the death of the tenth defendant and for cross-examination of other defendants.

4. It is submitted that the suit is pending for the past 20 years without any progress and the petitioner is suffering from ailment and was driven from pillar to post for many years due to the pendency of the suit. Therefore, the present Civil Revision Petition is preferred by the petitioner/third defendant for speedy disposal of the suit within a time to be stipulated by this Court.



WEB COPY



C.R.P.(MD) No.1595 of 2023

K.GOVINDARAJAN THILAKAVADI, J.

jen

5. Considering the facts and circumstance of the case, the Principal District Munsif Court, Manapparai is directed to dispose the above suit, expeditiously, without any unnecessary adjournments, within a period of 3 months from the date of receipt of a copy of this order.

6. Accordingly, this Civil Revision Petition is disposed of. No cost.

06.07.2023

NCC :Yes/No
Internet: Yes/No
Index: Yes/ No
jen

To

The Principal District Munsif Court,
Manapparai.

C.R.P.(MD) No.1595 of 2023