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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Friday, the Twenty Fifth day of August Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

AS(MD). No.52 of 2014

1. S.Saroja,
2.S.Sasikala
3.S.Sathiskumar

... Petitioner/1 to3 Defendant

Vs

M.Balasubramanian,

... Respondent/Plaintiff

Prayer :

This First Appeal filed under section 96 of the code of Civil Procedure to set aside the Judgment and decree dated 29.01.2014 of the Second Additional District Judge,Trichy in O.S. No. 47 of 2012 .

ORDER:- This Appeal Petition coming on for hearing on this day in the caption for" Extension of time "and upon perusing the earlier order of this court dated 12.01.2023 ,and the requisition letter submitted by II Additional District Judge,Tiruchirapalli, this Court made the following order:



This matter is listed today under the caption 'for extension of time'.

2. The learned counsel for the appellants have filed a memo stating that Ramachandran died on 16.07.1979 as a bachelor leaving behind his mother; that his mother Dhanakodi Ammal has already filed a suit in O.S.No.864 of 2016 on the file of the III Additional District Munsif Court, Trichy against the plaintiff herein for permanent injunction restraining him from interfering with the enjoyment of the property devolved upon her after the death of her son Ramachandran and that the same is pending, that in the plaint filed by the said Dhanakodi Ammal, she has stated that she had executed a Will dated 14.07.2016 bequeathing her property in favour of Dakshinamoorthy/second plaintiff; that after the death of Dhanakodi Ammal, the plaint has been amended and other children have already been impleaded and that the appellants have also filed an application to implead them in suit in O.S.No.864 of 2016 and the same is pending.

3. Considering the above facts and circumstances, the learned III Additional District Munsif, Trichy, is directed to take the petition filed by the appellants under Order I Rule 10 C.P.C., and dispose of the same within a period of 15 days from the date of receipt of copy of this order and thereafter, to proceed with the trial of the suit and dispose of the same within a period of three months thereafter.



4. Post this matter after four months.

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Sd/-

Assistant Registrar(CS III)

/09/2023

Sub Assistant Registrar(CS)

TO

THE II ADDITIONAL DISTRICT COURT, TIRUCHIRAPPALLI.

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai

Hon`ble Mr.Justice
K.MURALI SHANKAR

ORDER DATED : 25/08/2023

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ORDER
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AS(MD). No.52 of 2014

Giving direction and etc.
as stated within.

MGJ(07.09.2023) 3P 3C

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