



C.R.P.(MD)Nos.3291 and 3292 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)Nos.3291 and 3292 of 2023

Subbulakshmi

... Petitioner in
both petitions

Vs.

Arumugakani (Died)

1. Muthulakshmi

2. Sumathi

3. Tamil Selvi

4. Selva Lakshmi

5. Muthusekar Achari

6. Karthikeyan Achari

7. Appadurai

... Respondents in
both petitions

Common Prayer : These Civil Revision Petitions filed under Article 227 of the Constitution of India, to direct for the earlier disposal of the passing of final decree application and amendment application in I.A.Nos.1 of



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2022 and 2 of 2023 in O.S.No.255 of 2000, on the file of the Sub Court, Thoothukudi, within a time frame as may be fixed by this Court, by allowing these Civil Revision Petitions.

(in both petitions)

For Petitioner : Mr.V.Alex Benny Hook

COMMON ORDER

These Civil Revision Petitions have been filed seeking a direction to dispose of the applications in I.A.Nos.1 of 2022 and 2 of 2023 in O.S.No. 255 of 2000, pending on the file of the Sub Court, Thoothukudi, within a period stipulated by this Court.

2. Since the revision petitions are filed for early disposal of the cases, the issuance of notice to the respondents is not necessary.

3. The learned counsel appearing for the revision petitioner would submit that preliminary decree came to be passed on 11.02.2005 and the appeal as well as the cross-appeal were disposed of on 27.05.2008 and the second appeal in S.A.(MD)No.377 of 2011 was also disposed of vide judgment dated 24.06.2021 and that thereafter, the revision petitioner/



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decree holder has filed the final decree application and the same is pending in I.A.No.1 of 2022 on the file of the Sub Court, Thoothukudi. He would further submit that taking note of the death of the first respondent in I.A.No.1 of 2022, they have moved the amendment application and the same was taken on file in I.A.No.2 of 2023 and is also pending and that is why, the revision petitioner was constrained to file the present revisions seeking speedy disposal.

4. The learned counsel appearing for the revision petitioner would further submit that in the final decree application, some of the respondents have not filed their counter statement and the case is being adjourned again and again.

5. Considering the above facts and circumstances and also taking note of the submissions made by the learned counsel appearing for the revision petitioner, the learned Subordinate Judge, Thoothukudi, is hereby directed to proceed with the enquiry in I.A.No.2 of 2023 and dispose of the same within a period of fifteen (15) days from the date of receipt of a copy of this order and then to hear the final decree application in I.A.No.1 of 2022 and pass orders within a period of four (4) months thereafter.



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6. With the above direction, these Civil Revision Petitions are disposed of. No costs.

19.12.2023

NCC :yes/No
Index :yes/No
Internet:yes/No
csm

To

1. The Sub Court,
Thoothukudi.
2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
C.R.P.(MD)Nos.3291 and 3292 of 2023

Dated : 19.12.2023