



Crp No.758 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 11.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

CRP No.758 of 2024

R.Sumathi

... Petitioner

Vs.

1. M.Pranesh
2. P.Murugesan
3. P.Pavathal
4. M.Amaravathi
5. L.Shanthi

... Respondent

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India to direct the I Additional Subordinate Judge, Erode to dispose of the O.S.No.358/2012, within a time frame, as fixed by this Court.

For Petitioner : Mr.R.Raghu. D.

ORDER

This Civil Revision Petition has been filed to direct the I Additional Subordinate Judge, Erode to dispose of the O.S.No.358/2012, within a time frame, as fixed by this Court.

2. The petitioner herein is the plaintiff and the respondents herein are



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the defendants in the above said suit, which was filed for partition of the suit property. Though written statements were filed, the first respondent filed interlocutory application to prolong the matter for more than 12 years. Due to the pendency of the suit, the petitioner is unable to enjoy the property. Hence this civil revision petition.

3. At this juncture, it is worthwhile to note that the ***Hon'ble Supreme Court in W.P.No.587/2023, dated 10.11.2023, in Shaikh Uzma Feroz Hussain Vs. The State of Maharashtra*** has dismissed the writ petition, by observing as follows.

“ We are of the view that since every High Court and every Court in the country has a huge pendency, the Constitutional Court should avoid temptation of fixing a time-bound schedule for disposal of any case, before any court, unless the situation is extra ordinary.”

4. Further, pursuant to the direction of this Court, the Registry, on verification through e-filing, has reported that the total pendency of the cases in the above Court is 1039.

5. The case status shows that the suit is pending for evidence from the year 2017.

6. Considering the pendency of the cases and also taking note of the



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fact that the above suit is of the year 2012 and the case is pending for evidence from the year 2017 for more than 7 years, the learned I Additional Subordinate Judge, Erode is directed to dispose of the suit in O.S.No.358/2012 *within a period of eight months from the date of receipt of a copy of this order.*

7. With the above direction, the Civil Revision Petition is disposed of.

No costs.

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Index:Yes/No
Internet:Yes/No
mst

To

The I Additional Subordinate Judge, Erode.



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V.SIVAGNANAM, J.

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