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C.R.P.(PD).No.1046 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.(PD).No.1046 of 2024

1.B.Najma Be

2.M.Firose Kadhum

... Petitioners

VS

K.O.Abdul Salam (Died)

1.K.O.Abdul Rafeek

2.K.O.Abdul Haium

3.Gursheed Begam

4.A.S.Shabana Yasmeen

5.A.S.Maqbul Basha

... Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to dispose of the C.M.A.No.2 of 2019 against I.A.No.448 of 2017 in O.S.No.80 of 2017 on the file of the Additional Subordinate Court, Kancheepuram within a time bound period.

For Petitioners : Mr.M.Guruprasad



C.R.P.(PD).No.1046 of 2024

ORDER

The Civil Revision Petition is filed seeking a direction to the Additional Subordinate Court, Kancheepuram to dispose C.M.A.No.2 of 2019 pending on its file.

2. In view of the limited prayer made in this revision, this Court is inclined to dispose of the civil revision petition, even without notice to the respondents.

3. The petitioners herein are defendants 1 and 2 in the suit. The deceased K.O.Abdul Salam and respondents 1 and 2/plaintiffs filed a suit against the petitioners and others for mandatory injunction and also permanent injunction. Pending suit, the plaintiffs filed I.A.No.448 of 2017 seeking temporary injunction restraining the petitioners from alienating the suit properties and the same was dismissed. Aggrieved by the same, the deceased K.O.Abdul Salam and respondents 1 and 2 herein/plaintiffs filed an appeal in C.M.A.No.2 of 2019 on the file of Additional Subordinate Court, Kancheepuram and the same is pending.

4. A perusal of e-court adjudication status filed in the typed-set of



C.R.P.(PD).No.1046 of 2024

papers would indicate that C.M.A.No.2 of 2019 was posted for arguments as early as 22.01.2020 and thereafter, it has not been taken up for consideration due to death of some of the parties. Now, it appears, after steps are being taken to implead the legal representative, the main C.M.A.No.2 of 2019 again, posted for arguments. In view of the same, this Court is inclined to issue a direction to the Additional Subordinate Court, Kancheepuram to dispose of the above appeal in C.M.A.No.2 of 2019 as expeditiously as possible.

5. With the above direction, the Civil Revision Petition stands disposed of. No costs.

21.03.2024
(1/2)

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
dm

To

The Additional Subordinate Court,
Kancheepuram.



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C.R.P.(PD).No.1046 of 2024

S.SOUNTHAR, J.

dm

C.R.P.(PD).No.1046 of 2024

21.03.2024
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