



C.R.P.No.1358 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.06.2024

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

C.R.P.No.1358 of 2024

1.M.Malligeswari
2.Senthilkumar
3.Naveenkumar

... Petitioners

Vs.

1.Madhubala
2.Sasikumar
3.The Sub Registrar,
Office of the Sub Registrar,
Thiruchengodu Taluk,
Namakkal District.

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the Subordinate Court at Tiruchengode to dispose of the suit in O.S.No.221 of 2019 within a stipulated period filed by this Court.

For Petitioners : Mr.G.Munuraj

For R1 & R2 : Mr.B.Mohan

For R3 : Mr.T.Arunkumar,
Additional Government Pleader



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ORDER

The petitioners/plaintiffs filed this petition seeking speedy disposal of the suit in O.S.No.221 of 2019 pending on the file of the Subordinate Court at Tiruchengode.

2.The learned counsel for the petitioners submitted that the petitioners/plaintiffs filed suit for partition to divide A schedule property into eight equal share by metes and bounds and allot 5/8 share to the first petitioner and allot 1/8 each share in favour of the plaintiffs 2 and 3 and to declare the settlement deed, dated 19.01.2017 registered as document No.175 of 2017 executed by late Muneeswaran in favour of the first defendant as null and void, not binding the plaintiffs over the B schedule property and for other consequential reliefs. He further submitted that the trial Court is granting long adjournments despite all interim applications closed and the case is right for framing of issues. On the last hearing on 04.06.2024, amended plaint copy ready, but the petitioners could not file immediately. Hence, sought pass over. Even the respondents expressed no



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objection, but the trial Court adjourned the case to 23.07.2024. Hence, direction to expedite the trial is necessary.

3.The learned counsel for the respondents 1 and 2 has got no objection for speedy disposal.

4.Mr.T.Arunkumar, learned Additional Government Pleader appearing for the 3rd respondent submitted that though he is a formal party, in the interest of justice the trial can be completed within a stipulated period.

5.Considering the submissions and on perusal of the materials, it is seen that both the petitioners and the respondents 1 and 2 are willing to cooperate with the trial and complete the same at the earliest. This being so, granting long adjournments by the lower Court is not proper.

6.Taking into consideration that it is partition suit and the same is pending from the year 2019, the learned Subordinate Judge, Tiruchengode



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is directed to proceed with the trial in O.S.No.221 of 2019 and complete the same within a period of six months from the date of receipt of a copy of this order.

7. With the above direction, this civil revision petition stands disposed of. No costs.

25.06.2024

Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Index : Yes/No
Internet : Yes

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To

The Subordinate Judge,
Tiruchengode.



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M.NIRMAL KUMAR, J.

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