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CRP.No.1668 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.04.2024

CORAM:

THE HONOURABLE Mr.JUSTICE V.LAKSHMINARAYANAN

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1.V.Kamalakannan
2.Niranjana

... Petitioners

Vs

1.L.Duraisamy
2.Latha
3.Uma
4.L.Ramraj
5.Padmavathi
6.R.Paandurangan
7.Vimala
8.Poondhamizh Selvi
9.Divya
10.Ramya

... Respondents

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India praying to direct the trial Court to dispose of I.A.No.01 of 2023 in O.S.No.803 of 2022, on the file of the III Additional District Court at Dharapuram, within a stipulated period as prescribed by this Court, by allowing the present civil revision petition.



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For Petitioners : Mr.Ma.Pa,Thagavel

ORDER

This revision is filed seeking a direction of this Court to dispose of I.A.No.01/2023 in O.S.No.803/2022 pending on the file of III Additional District Court, Dharapuram.

2.Heard Mr.Ma.Pa.Thangavel, learned counsel appearing for the petitioners.

3. A perusal of the impugned order would show that an application for return of documents in terms of Order XIII Rule 9 has been kept pending for the past one year. Under Order XIII Rule 9, a party has the right to get back his documents which he had filed before the Court, on substitution of the same with a certified copy. The petitioners have filed an affidavit to the effect that they are ready and willing to substitute the same and take back the documents which were originally presented. However, the learned Trial Judge had kept that application pending from September 2023.



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4. Mr.Ma.Pa.Thangavel would plead that on account of the fact that the original documents are available in the Court, the petitioners are unable to raise loan on the property.

5. Finding the request of Mr.Ma.Pa.Thangavel reasonable, I therefore direct the learned Trial Judge to dispose of the application in I.A.No.1 of 2023 in O.S.No.803 of 2022 pending on the file of III Additional District Court, Dharapuram, on or before 22.07.2024.

6. With the above direction, this civil revision petition is disposed of. No costs.

18.04.2024

Index:Yes/No

Internet:Yes/No

Speaking order/Non-speaking orders



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V.LAKSHMINARAYANAN,J.

ds

To

1.The III Additional District Judge
Dharapuram.

2.The Section Officer
VR Section, High Court, Madras.

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