



C.R.P.(PD).No.1159 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.(PD).No.1159 of 2021
and CMP.No.8887 of 2021

B.Premkumar

... Petitioner

vs.

1.K.P.Balan
2.Preethi Suresh
3.Suresh Babu Kidav
4.G.Vimala
5.M/s.Nathallajewellers,
Carrying on business at D.No.77/28,
N.H.Bye Pass Road,
Opposite to Bus Stand, Hosur – 635 109.
6.The Sub Registrar,
Omalur, Salem District.
7.The Sub Registrar,
Hosur, Krishnagiri District.

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India, praying to order in Memo 1 in O.S.No.232 of 2016, on the file of the I Additional District Judge, Salem, dated 25.01.2021, is even otherwise illegal,



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incompetent, without jurisdiction and liable to be set aside.

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For Petitioner	: Mr.Avinash Wadwani
For Respondents	: Mrs.Hema Sampath
	Senior Advocate
	for M/s.R.Meenal for R1 to R3
	Mr.V.Jeevagiridharan
	Additional Government Pleader
	for R6 and R7
	R4-unclaimed
	R5-left

ORDER

When the matter is taken up for hearing, the learned Senior Counsel appearing for the respondents 1 to 3 on instructions from counsel on record submitted that the order impugned in revision granting preliminary decree for dissolution of the firm and for rendition of accounts with the assistance of a chartered accountant by recording the memo filed by the first respondent may be set aside and the Court below may be directed to dispose of the suit within a time frame in respect of all the prayers in the suit.

2. The learned counsel appearing for the petitioner has no objection for the same.



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3. In view of the consensus reached between the counsel, the

order impugned in this revision is set aside.

4. Considering the submission made by the learned senior counsel appearing for the respondents 1 to 3 that the first respondent herein is a nonagenarian, there shall be a direction to the Court below to dispose of the suit within a time frame.

5. Having regard to the fact that the suit is of the year 2016 and the first respondent/first defendant is nonagenarian, this Court is inclined to issue a direction to the trial Court to dispose of the suit within a period of nine months from the date of receipt of a copy of this order.

6. Accordingly, this Civil Revision Petition is disposed of. No costs. Consequently, the connected civil miscellaneous petition is closed.

06.02.2024

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

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S.SOUNTHAR, J.

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To

The I Additional District Judge,
Salem.

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