



C.R.P.No.2289 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.07.2024

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

C.R.P.No.2289 of 2024

Vaishnavi

... Petitioner

Vs.

1. D.Vijayakumar
- R.Duraisamy Naidu (died)
2. Amirtham
3. Chitra
4. N.Manoharan
5. N.Balasundaram
6. N.Parthiban
7. N.Veenamani
8. N.Duraisamy
9. L.Rathina Chand
10. K.V.Selvaraj
11. Purushothaman
12. D.Sampoornam
13. Thanikasalam
14. C.P.Dharmalaingam
15. S.Balamani

...

Respondents

PRAYER: Civil Revision Petition has been filed under Article 227 of Constitution of India, 1950, praying to direct the Principal Sub Judge,



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coimbatore to dispose of the case in I.A.No.1 of 2020 in O.S.No.685 of 1995 on its file expeditiously within a stipulated time as may be fixed by this Court preferably within three months or within reasonable time as this Court.

For Petitioner : Mr.S.Saravanan

ORDER

This Civil Revision Petition has been filed seeking a direction to the Principal Sub Judge, Coimbatore, to dispose of the case in I.A.No.1 of 2020 in O.S.No.685 of 1995 within a time frame as fixed by this Court.

2. The petitioner is the plaintiff in O.S.No.685 of 1995 had obtained a preliminary decree on 20.03.2018. The petitioner had sought for 1/3 share in the plaint property and the preliminary decree was allowed in respect of 'A' and 'C' schedule property. Thereafter, the respondents' close relative had some negotiations and in view of the possibility of settlement, this Court granted some time and the said negotiation is only to prolong the issue and the respondents re-inspected the property. Thereafter, the petitioner had filed in I.A.No.1 of 2020 seeking a final decree by appointing an



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advocate commissioner to divide the petition mentioned property into 3 equal shares and to allot one such share to the petitioner by metes and bounds. The respondents, one after the another, taking time for filing counter, citing one reason or other from 26.08.2021, periodically adjourned for filing counter. Hence, the present Civil Revision Petition has filed by the petitioner.

3. Since it is only a limited prayer seeking direction to dispose of the petition in I.A.No.1 of 2020 in O.S.No.685 of 1995 within the stipulated period, notice to the respondents not required. Hence, notice to the respondents dispensed with.

4. Considering the submissions made and on perusal of the material, this Court directs the Trial Court (The Principal Sub Judge, Coimbatore) to conclude the proceedings in I.A.No.1 of 2020 in O.S.No.685 of 1995 without any further delay, preferably within a period of three months from the date of receipt of a copy of this order.



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5. With the above directions, this Civil Revision Petition is disposed of. No costs.

30.07.2024

Index : Yes/No

Internet : Yes/No

Speaking order/Non speaking order

Neutral Citation : Yes/No

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To

The Principal Sub Judge, Coimbatore.



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M.NIRMAL KUMAR, J.

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