



C.R.P.No.3592 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 19..10..2024

Coram

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Civil Revision Petition No.3592 of 2024

1.Mrs.Rani

2.Mrs.Shanthi

..... Petitioners

-Versus-

P.Ganesan

..... Respondent

Petition filed under Article 227 of the Constitution of India, praying to direct the learned Additional Subordinate Judge, Dharmapuri, for expeditious time bound disposal of the application in I.A.No.2 of 2023 in O.S.No.40 of 2023 pending on the file of the Additional Subordinate Judge Dharmapuri.

For Petitioner (s) : Mr.T.Balaji

ORDER

This civil revision petition is at the instance of the plaintiffs. They have presented O.S.No.40 of 2023 on the file of the Principal Subordinate Judge, Dharmapuri, seeking for a judgement and decree for partition and separate



C.R.P.No.3592 of 2024

possession. A preliminary decree was passed on 10.11.2024. Thereafter, an application for final decree was taken out in I.A.No.324 of 2018. Thereafter, the 6th defendant has filed an application in I.A.No.1 of 2022 seeking to condone the delay of 2897 days in filing the application to set aside the *ex parte* decree. The civil revision petitioners/plaintiffs have filed a detailed counter. Not being satisfied with the counter already filed, she wanted to file additional counter and took out an application in I.A.No.2 of 2023. The learned Additional Subordinate Judge, Dharmapuri, has adjourned the final decree application, condone delay application and the application filed under Order VII, Rule 9 of CPC repeatedly. Hence, this revision petition seeking for a direction to the learned Additional Subordinate Judge to dispose of the application.

2. When the revision petition came up for admission on 04.09.2024, I sought for a report from the learned Additional Subordinate Judge, Dharmapuri. A report has been received narrating the aforesaid circumstances. Considering that only applications to condone delay and to receive additional counter are pending and thereby preventing the final decree application to be taken up for disposal, I am inclined to give a direction to the learned Additional Subordinate Judge, Dharmapuri, to dispose of the applications in I.A.No.1 of



C.R.P.No.3592 of 2024

2022 and I.A.No.1 of 2023 within a period of eight weeks from the date of receipt of a copy of this order.

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

Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order
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To

1.The Additional Subordinate Judge, Dharmapuri, Dharmapuri District.



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V.LAKSHMINARAYANAN.J.,

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