



C.R.P.Nos.3591 & 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 Nos.3591 and 3592 of 2024

1.Mrs.Rani

2.Mrs.Shanthi

..... Petitioners in both CRPs

-Versus-

P.Ganesan

..... Respondent in both CRPs

Prayer in C.R.P.No.3591 of 2024: 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.1 of 2022 in O.S.No.40 of 2013 pending on the file of the Additional Subordinate Judge, Dharmapuri.

Prayer in C.R.P.No.3592 of 2024: 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 2013 pending on the file of the Additional Subordinate Judge, Dharmapuri.

*For Petitioner (s) in : Mr.T.Balaji
both CRPs*

COMMON ORDER

These civil revision petitions are at the instance of the plaintiffs. They have presented O.S.No.40 of 2013 on the file of the Addl. Subordinate Judge, Dharmapuri, seeking for a judgement and decree for partition and separate



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possession. A preliminary decree was passed on 10.11.2014. 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, they 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, the revision petitions seeking for a direction to the learned Additional Subordinate Judge to dispose of the applications.

2. When these revision petitions 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 2022 and I.A.No.2 of 2023 within a period of eight weeks from the date of receipt of a



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copy of this order.

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With the above directions, this civil revision petitions are disposed of. No costs.

Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order
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19..10..2024

To

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



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V.LAKSHMINARAYANAN.J.,
kmk

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