



CRP No.239 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.01.2024

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

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Noorul Ameen

... Petitioner

Vs.

1.Kowsinisha

2.Sivasankari

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to dispose of the Interlocutory Application in IA No.89 of 2023 in A.S.No.26 of 2020 on the file of the learned Sub-ordinate Judge of Chidambaram within a time frame.

For Petitioner

: Mr.Ali Hassan Khan

ORDER



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The civil revision petition is filed to dispose of the Interlocutory Application in IA No.89 of 2023 in A.S.No.26 of 2020 on the file of the learned Sub-ordinate Judge of Chidambaram within a time frame.

2. The petitioner is the plaintiff and the respondents are the respondents in AS No.26 of 2022 on the file of the Subordinate Judge, Chidambaram. Pending appeal, the petitioner has filed an application in IA No.89 of 2023 seeking withdrawal of the said appeal, which was taken on file on 21.08.2023. Thereafter, notice was order and the application was posted for filing counter-affidavit. The said application was adjourned on several occasions for filing counter-affidavit and the appeal is pending as on date. Hence, the petitioner has filed the present civil revision petition for a direction to dispose of the Interlocutory Application in IA No.89 of 2023 in A.S.No.26 of 2020 at an earliest.

3. Learned counsel for the petitioner submits that the said application



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has been adjourned on several occasions for filing counter-affidavit and the appeal is still pending. Hence, he seeks for a direction to dispose of the application at an earliest.

4. Heard the parties and perused the materials available on record.

5. The facts reveal that the petitioner is the plaintiff and the respondents are the respondents in AS No.26 of 2022 on the file of the Subordinate Judge, Chidambaram. Pending appeal, the petitioner has filed an application in IA No.89 of 2023 seeking withdrawal of the said appeal, which was taken on file on 21.08.2023. Thereafter, notice was order and the application was posted for filing counter-affidavit. It is noticed that the said application was posted again and again for filing counter-affidavit and the said appeal is pending as on date. Therefore, the Lower Appellate Court is hereby directed to dispose of the Interlocutory Application in IA No.89 of 2023 in A.S.No.26 of 2020, on the file of the Subordinate Judge, Chidambaram, within a period of two weeks from the date of receipt of a



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copy of this order.

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6. With the above directions, the civil revision petition stands allowed.

There will no order as to costs.

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Index: Yes/No
Internet: Yes/No
mrn

V.SIVAGNANAM, J.

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