



C.R.P(MD)No.2247 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.09.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P(MD)No.2247 of 2024

T.Arunachalam

... Petitioner /
Petitioner /
Plaintiff

Vs.

1.Raja Maiyappan

2.T.Kasinathan

Valliammai Achi (Died)

3.T.Revathi

4.AR.Valliammai Achi

5.K.Sornavalli

6.Dr.Thirunallasundari

7.Sivakani

8.A.R.Kamala

... Respondents /
Respondents /
Defendants



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Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned 6th Additional District Court, Madurai to dispose the I.A.No.1281 of 2017 in O.S.No.37 of 2011 on the file of learned District Judge, Madurai within the time frame fixed by this Court.

For Petitioner : Mr.V.R.Shanmuganathan

ORDER

Heard the learned counsel for the revision petitioner. Issuance of notice to the respondents is dispensed with.

2.The petitioner herein filed O.S.No.37 of 2011 on the file of the learned District Judge, Madurai for partition. Preliminary decree was passed as early as on 29.04.2017. The petitioner thereafter filed I.A.No. 1281 of 2017 for passing final decree. It is seen from the B Diary extract that an Advocate Commissioner was appointed as early as on 03.11.2018. It appears that till date, the Commissioner's report has not been submitted.



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3.The Court below is directed to expedite the submission of the Advocate Commissioner's report. If there is any difficulty, even new Advocate Commissioner can be appointed. When the preliminary decree was passed as early as in April 2017, the plaintiff cannot be made to wait indefinitely for enjoying the fruits of the decree. The Court below is directed to pass final decree on merits and in accordance with law within a period of eight months from the date of receipt of a copy of this order.

4.This Civil Revision Petition is allowed accordingly. There shall be no order as to costs.

18.09.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

To

1.VI Additional District Court,
Madurai.

2.The District Judge, Madurai.

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G.R.SWAMINATHAN, J.

MGA

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