



C.R.P.(PD)No.4687 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02.01.2025**

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

C.R.P.(PD)No.4687 of 2024

K.Duraisamy

.. Petitioner

Vs

M.Sadasivam

.. Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, for a direction to the learned Subordinate Judge at Paramathi to dispose of I.A.No.1 of 2022 in I.A.No.229 of 2018 in O.S.No.299 of 2018 (I.A.No.420 of 1997 in O.S.No.274 of 1985) pending on its file within a time fixed by this Court.

For Petitioner : Mr.L.Mouli

ORDER



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The civil revision petition seeks for expeditious disposal of I.A.No.1 of 2022 in I.A.No.229 of 2018 in O.S.No.299 of 2018 on the file of the learned Subordinate Judge at Paramathi.

2. When the matter came up for admission on 26.11.2024, I called for a report from the learned Subordinate Judge at Namakkal to state as to how long he requires to dispose of I.A.No.1 of 2022 in I.A.No.229 of 2018 in O.S.No.299 of 2018.

3. The learned Principal Subordinate Judge at Namakkal has sent a report on 05.12.2024 stating that the suit in O.S.No.299 of 2018 has been disposed on 05.03.2020 and I.A.No.1 of 2022 is pending before the learned Subordinate Judge at Paramathi, Namakkal District.

4. On 10.12.2024, I called for a report from the learned Subordinate Judge at Paramathi as to how long he requires to dispose of I.A.No.1 of 2022 in I.A.No.229 of 2018 in O.S.No.299 of 2018.

5. The learned Subordinate Judge at Paramathi has submitted a report stating that I.A.No.229 of 2018 has been filed for seeking final



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decree and a final decree was passed on 04.02.2020 as per the Commissioner's report and plan. The 2nd defendant has presented I.A.No.1 of 2022 for cancellation of the Commissioner's report and plan and requested to file a fresh Commissioner's report and plan. The 2nd defendant was examined as P.W.1 in I.A.No.1 of 2022. The report further states that the 2nd defendant filed a petition in I.A.No.8 of 2024 for seeking permission to examine the Commissioner. I.A.No.8 of 2024 is pending for filing counter. In I.A.No.1 of 2022, the plaintiff's side enquiry has not been completed and the 2nd defendant stated that he has to examine further witnesses. Therefore, the learned Judge requests two months time to dispose of I.A.No.1 of 2022 in I.A.No.229 of 2018 in O.S.No.299 of 2018.

6. Taking into consideration the report of the learned Trial Judge, there shall be a direction to the learned Subordinate Judge at Paramathi to dispose of I.A.No.1 of 2022 in I.A.No.229 of 2018 in O.S.No.299 of 2018 within a period of two months from the date of receipt of a copy of this order.

7. Accordingly, the civil revision petition stands ordered. No costs.



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Index:Yes/No
Speaking order/Non-speaking order
Neutral Citation : Yes/No

kj

To
The Subordinate Judge at Paramathi.

V. LAKSHMINARAYANAN,J.

Kj



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