



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2025

CORAM

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

CRP No. 5717 of 2025

A. Sekar (deceased)

1 . S.Sasikanth

2 . S.Raj Prabhu

3 . S.Shanthakumari

... petitioner(s)

Vs.

1 . Syndicate Bottles, rep. By partner A.P.Ashok Kumar,
18, V.V.Koil Street, Periamet, Chennai 600 003.

2 . A.P.Ashok Kumar

3 . C.Bama

4 . Syndicate Bottles Pvt. Ltd.,
rep. By the Managing Director A.P.Ashok Kumar,
No.45, Guruvappa Chetty Street,
Chintadripet, Chennai 600 002.

... Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to direct the learned VIII Assistant Judge, City Civil Court, Chennai to pass preliminary decree in O.S.No.937 of 2018 expeditiously, within a time frame fixed by this court.

For Petitioner(s): Mr.A.Santhanakrishnan



ORDER

WEB COPY

This civil revision petition is filed seeking direction to the learned VIII Assistant Judge, City Civil Court, Chennai to pass preliminary decree in O.S.No.937 of 2018, within the time frame, fixed by this court.

2. The prayer in this revision petition seeking direction to the trial court to pass preliminary decree is unsustainable in law. The trial court, based on the evidence available before it, has to consider whether the plaintiffs are entitled to any decree or not. Therefore, this court cannot issue such direction to the Trial Court to pass preliminary decree in favour of the petitioners/plaintiffs, using supervisory power under Section 227 of Constitution of India.

3. The suit has been filed by the petitioners against the respondents seeking to dissolve the first defendant partnership firm and other consequential reliefs. The suit was filed in the year 2018. A perusal of the adjudication sheets filed in the typed set of papers would indicate that the suit was posted for recording evidence as early as on 12.12.2022 and thereafter, there is no substantial progress in the suit.



WEB COPY

CRP No.5717 of 2



4 .Taking into consideration that the suit was filed in the year 2018 and the pleadings of the parties were already completed and the case was posted for recording evidence as early as on 12.12.2022, this court is inclined to direct the learned VIII Assistant Judge, City Civil Court, Chennai to dispose of the suit in O.S.No.937 of 2018 as expeditiously as possible.

5. With the above direction, this civil revision petition is allowed. There shall be no order as to costs.

18.11.2025

Internet: yes

Index: Yes/No

Neutral citation: Yes/No

MST

To

The VIII Assistant Judge,
City Civil Court, Chennai.



WEB COPY

CRP No.5717 of 2



S.SOUNTHAR, J.

MST

CRP No.5717 of 2025

18.11.2025