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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.04.2025

CORAM

THE HON'BLE MR. JUSTICE R.VIJAYAKUMAR

C.R.P.(PD)(MD)No.1494 of 2025

1.Velankanni
2.Sironmani
3.A.Ravi Savier
4.A.Jeya Mary
5.A.David Mani
6.A.Danial

...Petitioners/Defendants 1 to 3, 5

...Petitioners/Defendants 6 & 7

Vs

1.Kamala Mary
2.A.Raja Baskar

...Respondents/Plaintiff & 4th Defendant

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to direct the District Munsif-cum-Judicial Magistrate-I, Kodaikanal, to dispose of the suit by passing final decree in O.S.No.219 of 2004, on its file, allow this civil revision petition.

For Petitioners : Mr.K.Appadurai

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ORDER

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The defendants 1 to 3 and 5 in O.S.No.219 of 2004, on the file of the District Munsif cum Judicial Magistrate No.1, Kodaikanal, have filed the present revision petition seeking for passing of final decree in the above said suit.

2.According to the learned Counsel appearing for the revision petitioners, a preliminary decree for partition was passed in the above said suit on 11.02.2010. Since the plaintiff has not filed a final decree application, the revision petitioner has filed I.A.No.9 of 2018, for passing of final decree and the same is pending for the past 7 years. Hence, the present revision petition.

3.A perusal of “B” diary extract reveals that the Advocate Commissioner was appointed in June 2019. So far, he has not filed his report. Awaiting his report, the final decree application is being adjourned from time to time.

4.The trial Court is directed to give instructions to the Advocate Commissioner to file his report on or before **30.06.2025**. In case, report was not filed by the Advocate Commissioner, the trial Court is directed to appoint a fresh Advocate Commissioner to submit a report. The final decree application



shall be disposed of on or before **31.10.2025.**

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5. With the above said observations, this Civil Revision Petition stands disposed of. No costs.

30.04.2025

Internet: Yes/No

Index: Yes/No

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R.VIJAYAKUMAR, J.

RJR

To

The learned District Munsif-cum-Judicial Magistrate-I,
Kodaikanal.

Copy to:-

The Section Officer,
VR Section,
Madurai Bench of Madras High Court, Madurai.

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