



CRP(MD).No.3267 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 03.01.2025

CORAM

THE HONOURABLE MRS JUSTICE K. GOVINDARAJAN THILAKAVADI

C.R.P(MD)No. 3267 of 2024

N.Peer Nawbkhan

: Petitioner

Vs.

1.N.S.Mohammedsha
2.J.Habeeb Begam
3.M.Syed Mohamed
4.M.Sibi Mohammed
5.M.Sulthan Samsuthen
6.N.Abbas (died)
7.N.Akbarsha
9.N.Selvam
10.S.Samsudeen
11.S.Chellappa
12.S.Samsudeen
13.S.Pappa
14.S.Rasi @ Samsunnika Begam
15.K.Abdul Khabaar
16.Yasin Mohamed
17.Chelladurai
18.Ganeshan
19.Amsha (died)
20.Nagoorpitchai
21.Peer Mohammed

: Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India to direct the learned Sub Court, Devakottai to dispose



CRP(MD).No.3267 of 2024

the case in I.A.No.1 of 2019 in O.S.No.98 of 2001 on the file of the Sub Court, Devakottai within a time frame fixed by this Court.

For Petitioner : Mr. K.Navaneetha Raja

ORDER

This Civil Revision Petition has been filed seeking a direction to the the learned Sub Court, Devakottai to dispose the case in I.A.No.1 of 2019 in O.S.No.98 of 2001 on the file of the Sub Court, Devakottai within a time frame fixed by this Court. within a time frame fixed by this Court.

2. Heard the learned counsel appearing for the petitioner.

3. The learned counsel appearing for the revision petitioner would submit that the revision petitioner as the plaintiff filed the above suit in O.S.No.98 of 2001 on the file of the Sub Court, Devakottai for the relief of partition and in the said suit preliminary decree was passed in favour of the petitioner. Challenging the same, the respondent Nos.6, 7 and 9 filed a appeal suit in A.S.No.75 of 2004 on the file of the District Court, Sivagangai and the same was dismissed. Again, they have filed a S.A(MD).No.1131 of 2005 on the file of this Court. He would further submit that the petitioner herein has filed I.A.No.1 of 2019 for passing of



CRP(MD).No.3267 of 2024

final decree in the said suit and to appoint an Advocate Commissioner and the same is pending for the past 5 years without any progress and therefore, the said case may be disposed of within the time stipulated by this Court.

4. Having been taken into consideration of the material facts and circumstances and that the matter is pending for the past five years without any progress, this Court is of the view that in the interest of justice, a direction may be issued to the learned Subordinate Judge, Devakottai to dispose the case in I.A.No.1 of 2019 in O.S.No.98 of 2001 pending on his file as expeditiously as possible.

5. Accordingly, this Civil Revision Petition is disposed of with a direction to the learned Subordinate Judge, Devakottai to dispose the case in I.A.No.1 of 2019 in O.S.No.98 of 2001 pending on his file, within a period of three months from the date of receipt of a copy of this order on merits and in accordance with law. No costs.

03.01.2025

Index : Yes / No
Internet : Yes/ No
trp



CRP(MD).No.3267 of 2024

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To
The Sub Court, Devakkottai, Sivagangai
District



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CRP(MD).No.3267 of 2024

K. GOVINDARAJAN THILAKAVADI, J.,

trp

C.R.P(MD)No. 3267 of 2024

03.01.2025