

**(2011) 08 MAD CK 0232**

**In the Madras High Court**

**Case No : C.R.P. (NPD) (MD) No. 2597 of 2010**

Vanangamudia Pillai (died) and Others

APPELLANT

Vs

M. Mahalingam and M.R. Rangachari

RESPONDENT

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**Date of Decision :** 03-08-2011

**Acts Referred:**

**Citation :** (2011) 08 MAD CK 0232

**Hon'ble Judges :** C.S. Karnan, J

**Bench :** Single Bench

**Advocate :** M. Vaidyalingam, for the Appellant; M. Mahalingam, for R 1, for the Respondent

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## **Judgement**

C.S. Karnan, J.—This petition has been filed by the Petitioner to direct the Additional District Munsif, Madurai to dispose of the final decree petition in I.A. No. 968 of 2004 in O.S. No. 50 of 1983, as expeditiously as possible with in stipulated period of time.

2. The short facts of the case are as follows:

The above civil revision petition has been filed by the Petitioners/subsequent purchasers, to dispose of the final decree petition in I.A. No. 968 of 2004 in O.S. No. 50 of 1983 as expeditiously as possible within stipulated period of time. The O.S. No. 50 of 1983 has been filed by the Plaintiff for partition and separate possession. In the said suit, interlocutory application has been filed by the Petitioner/subsequent purchasers/1st Defendant to appoint an advocate commissioner for partition of the suit properties with the help of a qualified surveyor and on the basis of the commissioner's report pass final decree in favour of the Petitioners in respect of their half share in the suit properties. As per the above interlocutory application, a commissioner was appointed. Still, the application of appointment of advocate commissioner along with suit in O.S. No. 50 of 1983 is pending disposal on the file of the Additional District Munsif, Madurai. Under the circumstances, the Petitioner has filed the above revision

petition for direction to the learned Additional District Munsif, Madurai to dispose of the final decree petition in I.A. No. 968 of 2004 in O.S. No. 50 of 1983 as expeditiously as possible.

3. Considering the prayer of the revision Petitioners, this Court directs the learned Additional District Munsif, Madurai to dispose of the case in I.A. No. 968 of 2004 in O.S. No. 50 of 1983 within a period of three months from a date of receipt of this order in the presence of all the parties concerned without being influenced by the discussions made by this Court. Accordingly ordered.

C. S. KARNAN, J

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6. In the result, the above revision petition is disposed of with the above observations. There is No. order as to costs.