



S.A.No.350 of 2006

WEB COPY

T.V.THAMILSELVI, J.

When the matter was taken up for hearing today, the learned counsel for the appellant submitted that some of the respondents have passed away, and he requires additional time to take the necessary steps.

2. Upon a perusal of the records, it is revealed that the suit was filed in 2001 by the appellants, seeking a partition against 17 defendants, claiming a 16/35 share in the suit properties as described in the schedule to the plaint. Some of the defendants are contesting the suit before the Court. Based on this, the learned trial Judge dismissed the suit, against which A.S. No. 11 of 2005 was filed. The First Appellate Court partly allowed the suit, granting an 8/35 share to Plaintiffs 1 and 2, and allotting an 1/35 share to Defendants 3, 16 & 17 in the suit A, B, and C schedule properties.

3. Challenging the findings of the First Appellate Court, the plaintiffs have filed this appeal, contending that the share allotted by the First Appellate Court was not properly allocated. Before the trial Court, the plaintiffs claimed a 16/35 share, but the First Appellate Judge granted an 8/35 share, resulting in a slight modification of the original share allocation.



The case has been pending for nearly 24 years, with the appeal filed in 2006. In addition, Defendants 2, 5, and 7 have also preferred a second appeal before this Court.

4. In view of the prolonged pendency of the case, this Court is inclined to refer the matter to mediation.

5. R1 is the contesting plaintiff, and counsel for R1 and R2 has already appeared. All parties currently on record are directed to appear before the Mediation Centre at Cuddalore on 11.11.2024 without fail.

6. The Mediation Centre is directed to conclude the proceedings not less than three sittings, on or before 04.12.2024.

7. The Registry is directed to list the appeal before this Court on 05.12.2024 along with report.

8. Post the appeal on 05.12.2024.

25.10.2024

rr

T.V.THAMILSELVI, J.



WEB COPY



rri

S.A.No.350 of 2006

25.10.2024