

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.04.2015

CORAM

THE HONOURABLE MR.**JUSTICE M. DURAISWAMY**

C.R.P. (NPD) No.1375 of 2015

G.Selvin Joel

... Petitioner

versus

S.Duraisamy

... Respondent

Prayer: Petition filed under Article 227 of the Constitution of India praying to call for the records of the E.P. No.22 of 2012 (E.P. No.14 of 1997) in O.S. No.390 of 1984 on the file of the learned District Munsif Court, Alandur and to further direct the learned District Munsif Court, Alandur to execute the said order in E.P. No.22 of 2012 in O.S. No.390 of 1984 within a reasonable time period to be fixed by this Court.

For petitioner : Mr.G.Selvin Joel, Party in person

ORDER

Heard the petitioner/party in person.

2.The petitioner has filed the above Civil Revision Petition to direct the District Munsif, Alandur to dispose of the Execution Petition in E.P. No.22 of 2012 in O.S. No.390 of 1984, filed by him, within a reasonable time.

3.The petitioner submitted that he obtained a decree in O.S. No.390 of 1984 on the file of the District Munsif Court, Ambasamudram on 31.10.1985 and that he has filed Execution Petition in E.P. No.14 of 1997 on the file of the District Munsif, Tambaram. Thereafter, the petitioner filed C.R.P. (NPD) No.2919 of 2011 before this Court. This Court by order dated 19.08.2011, directed the District Munsif, Tambaram to dispose of the Execution Petition in E.P. No.14 of 1997 in O.S. No.390 of 1984, within a period of two months. Thereafter, according to the petitioner, the Execution Petition has been transferred to the file of District Munsif, Alandur and is pending for a long time.

4.From the materials available on record, it is clear that the petitioner is not in a position to enjoy the fruits of the decree in spite of getting the decree in the year 1985. The present Execution Petition in E.P. No.22 of 2012 was filed in the year 2012 and is still pending.

5.In these circumstances, taking into consideration the long pendency of the matter, I direct the District Munsif, Alandur to dispose of the Execution Petition in E.P. No.22 of 2012 on merits and in accordance with law, within a period of three months from the date of

receipt of a copy of this order. The District Munsif, Alandur is further directed to report the disposal of the Execution Petition to the registry of this Court.

6. With the above direction, this Civil Revision Petition is disposed of. No costs.

06.04.2015

Index: Yes/No
vga

To

The District Munsif,
Alandur

M. DURAISWAMY,J.

vga

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