

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2015

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

C.R.P.(NPD)No.1891 of 2015

R. Sekar

... Petitioner

vs

1. Tarja Foods rep by its Parner
Osho Rajagopal

2. Osho Rajagopal

3. R. Chitra

4. Catholic Syrian Bank Ltd rep by
its Branch Manager, Tirupur,
Tirupur District

5. P.C. Bhimoraj

6. Venkatachalapathi

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India to direct the Subordinate Judge, Tirupur to dispose of E.A.No.197 of 2005 in E.P.No.27 of 2002 in O.S.No.57 of 1997 at the earliest point of time.

For Petitioner : Mr.J. Pothiraj

ORDER

The Auction Purchaser in the Execution Petition in E.P.No.27 of 2002 in O.S.No.57 of 1997 on the file of Subordinate Court, Tirupur has filed the above Civil Revision Petition to direct the Executing Court to dispose of the application in E.A.No.197 of 2005 within the stipulated time.

2. The learned counsel for the petitioner submitted that the auction purchaser purchased the property in the court auction on 21.9.2005. Thereafter, the Judgment Debtors filed an application in E.A.No.197 of 2005 under Order XXI Rule 90 of Civil Procedure Code to set aside the sale.

3. According to the learned counsel for the petitioner, the petition is pending since 2005 and the executing court has not disposed of the same till this date. Further, the learned counsel for the petitioner submitted that since the application is pending for more than

ten years, the petitioner is put to hardship and prejudiced.

4. Having regard to the submissions made by the learned counsel for the petitioner and also taking into consideration the limited prayer sought for in this civil revision petition, without expressing any opinion with regard to the merits of the case, I direct the Subordinate Judge, Tirupur to dispose of the application in E.A.No.197 of 2005 in E.P.No.27 of 2002 in O.S.No.57 of 1997, on merits and in accordance with law, on or before 31.7.2015.

5. With the above observation, the Civil Revision Petition is disposed of. No costs.

29-04-2015

sr

Index:no
website:yes

To

The Subordinate Court, Tirupur

M. DURAISWAMY,J.,

sr

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