

IN THE HIGH COURT OF JUDICATURE AT MADRAS**Dated : 01.07.2015****CORAM:****THE HONOURABLE MR.JUSTICE M.DURAI SWAMY****C.R.P.(NPD).No.2292 of 2015**

T.Velu

... Petitioner

Vs.

N.Murali

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India seeking for a direction to the District Munsif Judge, Arcot to expeditiously dispose of E.P.No.22 of 2007 in O.S.No.126 of 2006 within a reasonable time frame.

For Petitioner : Mr.G.Rajan

ORDER

The Decree Holder in the Execution Petition in E.P.No.22 of 2007 in O.S.No.126 of 2006 on the file of the District Munsif Court, Arcot has filed the above Civil Revision Petition to direct the Execution Court to dispose of the Execution Petition within the stipulated time.

2.The Decree Holder/plaintiff obtained a decree for specific performance in O.S.No.126 of 2006. Pursuant to the decree passed in the suit, the Decree Holder filed an Execution Petition in E.P.No.22 of 2007.

3.The learned counsel appearing for the petitioner submitted that though the Execution Petition was filed in the year 2007, it has not yet been disposed of by the Execution Court. Further, the learned counsel submitted that the respondent has filed an application in I.A.No.159 of 2012 in E.P.No.22 of 2007 under Section 47 of the Civil Procedure Code, which is also pending before the Execution Court. Further, the learned counsel submitted that since the petition is pending for a long time, the Decree Holder is put to hardship and prejudice.

4.Having regard to the submissions made by the learned counsel for the petitioner, taking into consideration the limited prayer sought for in the Civil Revision Petition, without expressing any opinion with regard to the merits of the case, I direct the District Munsif Judge, Arcot, to dispose of the application in I.A.No.159 of 2012, within six weeks from the date of receipt of a copy of this order and the Execution Petition in E.P.No.22 of 2007, within two months thereafter, on merits and in accordance with law.

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

Index : No
Internet : Yes
va

01.07.2015

To

The District Munsif Judge,
Arcot.

M.DURAIWAMY,J.
va

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