

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2015

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

C.R.P.(PD)No.2732 of 2015

Gouse Mohideen

... Petitioner

v.

1.M.Sivalingam

2.The Secretary,
Tamil Nadu Wakf Board,
No.7, 9th Lane Street,
Indira Nagar,
Chennai.

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the Subordinate Judge, Vellore to dispose of the E.P.No.51 of 2011 in O.S.No.257 of 1998 pending on his file within a time frame fixed by this court.

For Petitioner : Mr.R.Sankarappan

ORDER

The plaintiff in O.S.No.257 of 1998 on the file of Subordinate Court, Vellore has filed the above Civil Revision Petition to direct the Execution Court to dispose of the Execution Petition in E.P. No.51 of 2011, within a stipulated time.

2. The learned counsel appearing for the petitioner submitted that though the Execution Petition has been filed in the year 2011, the Execution Court has not disposed of the same yet. Further Further, the learned counsel submitted that in view of long pendency of the Execution Petition, the plaintiff is put to hardship and prejudice.

3. It is also brought to the notice of this court that the decree passed in O.S.No.257 of 1998 was also confirmed by the Hon'ble Supreme Court. That apart, the learned counsel submitted that this court had directed the Execution Court to dispose of the Execution Petition on or before 15.12.2014. In spite of all these facts, the Subordinate Court, Vellore, has not disposed of the Execution Petition.

4. Having regard to the submission made by the learned counsel appearing for the revision petitioner and also 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 Subordinate Court, Vellore to dispose of the Execution Petition in E.P.No.51 of 2011 in O.S.No.257 of 1998 on merits and in accordance with law, on or before 15.09.2015.

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

10.07.2015

Index : No
Internet : Yes

Note : Issue copy of the order by 13.07.2015.

Rj

To

The Subordinate Court,
Vellore.

M. DURAISWAMY,J.,

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