

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2015

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

C.R.P.(NPD)No.4329 of 2015

N.Senthilnatha Gurukkal

... Petitioner

v.

V.Subramaniam

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the 1st Additional District Munsif, Coimbatore to dispose of E.P.No.101 of 2014 in O.S.No.1730 of 1974 within a stipulated time fixed by this court.

For Petitioner : Ms.V.Srimathi

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ORDER

The decree holder in the Execution Petition in E.P.No.101 of 2014 in O.S.No.1730 of 1974 on the file of 1st Additional District Munsif Court, Coimbatore has filed the above Civil Revision Petition to direct the Execution Court to dispose of the Execution Petition, within a stipulated time.

2. The plaintiff filed the suit in O.S.No.1730 of 1974 for specific performance, which was decreed by the Trial Court in the year 1979. The decree granted by the Trial Court was confirmed in the Appeal in A.S.No.315 of 1979 in the year 1981. The Second Appeal filed by the defendant was also dismissed by this Court in the year 1996 itself. Thereafter, the plaintiff filed the Execution Petition in E.P.No.101 of 2014.

3. The learned counsel appearing for the petitioner submitted that in view of the pendency of the Execution Petition in E.P.No.101 of 2014, the petitioner-decree holder is put to hardship and prejudice.

4. Having regard to the submission made by the learned counsel appearing for the 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 1st Additional District Munsif Court, Coimbatore to dispose of the Execution Petition in

E.P.No.101 of 2014 in O.S.No.1730 of 1974, on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

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

04.11.2015

Index : Yes/No

Rj

To

The 1st Additional District Munsif Court,
Coimbatore

M. DURAISWAMY,J.,

Rj

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