



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2015

CORAM:

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

C.R.P.(MD).NO.186 of 2015

Mr.M.P.Krishnamurthy ... Revision Petitioner/Execution Petitioner
/Plaintiff

vs.

Mr.R.Ulaganathan ... Respondent/Judgment Debtor/Defendant

PRAYER: This Civil Revision Petition filed under Article 227 of Constitution of India, to the expeditious disposal of execution petition in E.P.No.20 of 2013 in O.S.No.341 of 2004 dated 13.11.2014 on the file of the District Munsif Court, Kulithalai, Karur District for specific performance within such time as may be specified by this Court.

For Petitioner : Mr.S.Jayavel

ORDER

The plaintiff, who has a decree-holder in O.S.No.341 of 2004 is the revision petitioner herein.

2.No notice is necessary to the respondents as this Court intends to direct the trial Court to dispose of the suit at the earliest and it would not cause any prejudice to the respondents.

3.The petitioner is seeking only a direction for the expeditious disposal of the Execution Petition in E.P.No.20 of 2013 in O.S.No.341 of 2004 on the file of the District Munsif Court, Kulithalai, Karur District. The said decree was passed on 22.07.2008 and there was no appeal filed by the respondent/defendant. There was a correction in survey number and amendment application was filed and the same was also carried out in the year 2012. Thereafter, a fresh execution petition in E.P.No.20 of 2013 was filed by the petitioner herein for execution of decree by getting a sale deed in his favour either by the respondent or through Court. The said application has been adjourned from 2014 on the ground that the respondent wanted to file a civil revision petition against the amended decree copy. So far the respondent/Judgment debtor has neither filed a revision nor an appeal against the amended decree copy and the execution petition is being adjourned time and again without any progress.



4. In view of the above said submission, this Court is inclined to direct the District Munsif Court, Kulithalai, Karur District to dispose of the E.P.No.20 of 2013 in O.S.No.341 on merits and in accordance with law on or before 30th April 2015.

5. With the above direction, the civil revision petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(A.E.,)

/True Copy/

Sub-Assistant Registrar

To

THE DISTRICT MUNSIF, KULITHALAI, KARUR DISTRICT.

+1CC TO MR.S.JAYAVEL, ADVOCATE, SR NO.6720.

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