



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.02.2015

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

C.R.P.(PD)No.190 of 2015

Nagarani

.. Petitioner/Petitioner/
3rd Defendant

Vs.

1. K.Nanthakumar

2. K.Selvaraj

.. 1 & 2 Respondents/1 & 2
Respondents/ Plaintiffs

3. K.Kanagaraj

4. K.Gunasekaran

5. V.Shankar babu

... 3 to 5 Respondents/
3 to 5 Respondents/
1,2 & 4 Defendants

Prayer: Petition is filed under Article 227 of the Constitution of India to direct the learned District Munsif, Palani to dispose the case in E.P.No.25 of 2013 in O.S.No.172 of 1986 within a stipulated time.

For Petitioner : Mr.R.Jegadeeswaran

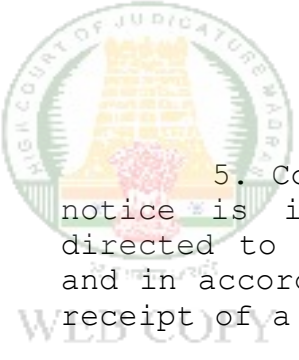
ORDER

This Civil Revision Petition is filed for a direction seeking early disposal of E.P.No.25 of 2013 in O.S.No.172 of 1986, on the file of the District Munsif, Palani.

2. Heard the learned Counsel for the petitioner.

3. The petitioner is the third defendant in the suit filed for partition on the file of the District Munsif, Palani. In the said suit, preliminary decree was passed on 25.11.1993 and the final decree was passed on 31.10.2012. Pursuant to that, an execution petition in E.P.No.25 of 2013 is filed for possession and the same is posted to 09.02.2015. An appeal in A.S.No.30 of 1996 filed by the defendants against the preliminary decree was also dismissed on 31.08.1999. Hence, there is no impediment for the District Munsif, Palani, to dispose of E.P.No.25 of 2013.

4. Though the respondents 1 and 2 were set exparte, later they were set aside and there is no reason for the District Munsif to adjourn the matter again and again. Hence, the revision petitioner is seeking a direction to dispose of the execution petition in E.P.No.25 of 2013.



5. Considering the limited prayer sought for by the petitioner, no notice is issued to the respondents. The District Munsif, Palani is directed to dispose of E.P.No.25 of 2013 in O.S.No.172 of 1986 on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.

6. With the above directions, the Civil Revision Petition is disposed of.

Sd/
Assistant Registrar

/True copy/

sub Assistant Registrar(c.s)

To
The District Munsif Court, Palani

+1cc to Mr.R.Jegadeeswaran, Advocate in SR.No. 5290

TS/23.02.2015/2P-3C

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