



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2015

CORAM:

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

C.R.P. (MD) .NO.228 of 2015

S.Jawahar

... Revision Petitioner/Petitioner/
Auction Purchaser/3rd Party
vs.

- 1.Krishnammal
- 2.K.Sankarapandian
- 3.Minor K.S.Shri Rakshanthini
- 4.Minor K.S.Karish Megalaa
- 5.Minor K.S.Anushkar

**(Minor petitioners 3 to 5 are represented
through their mother and next friend**

**Tmt.S.Srimathi, W/o.K.Sankarapandian) ... Respondents/Respondents
Decree Holder/Plaintiff**

PRAYER: This Civil Revision Petition filed under Article 227 of Constitution of India, to direct the learned Ist Additional Subordinate Judge, Madurai to expedite and complete the proceedings in E.P.No.21 of 2006 along with E.A.No.224 of 2009 in E.A.No.803 of 2008 in E.P.No.21 of 2006 in O.S.No.254 of 2002 within a period of three months by allowing this civil revision petition.

For Petitioner : Mr.H.Velavadhas

O R D E R

The Court auction purchaser is the petitioner herein seeking for an early disposal of E.P.No.21 of 2006 along with E.A.No.224 of 2009 in E.A.No.803 of 2008 in O.S.No.254 of 2002.

2.According to the petitioner, he has deposited the entire sale amount on 12.11.2008 and he has also submitted the non judicial stamp papers to the trial Court for the purpose of execution of sale deed. The respondents 3 to 5 filed a claim petition in E.A.No.803 of 2008 with regard to the suit property, which was taken by the petitioner herein in the auction sale. However, in the said claim petition, the auction purchaser was not made a party. Hence, the auction purchaser had filed E.A.No.224 of 2009 in E.A.No.803 of 2008 to implead himself as a party. Even that application was kept pending by the I Additional Subordinate Judge, Madurai, for no reason.



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

4.The suit is of the year 2002 and the execution petition was levied in E.P.No.21 of 2006 and the auction purchaser purchased the property in the Court auction on 12.11.2008. Having deposited the entire sale consideration, the petitioner has come before this Court in all anxiety to give a quietus to the proceedings.

5.In view of the limited prayer asked by the revision petitioner only for the early disposal of the E.As and E.P, this Court is inclined to direct the I Additional Subordinate Court, Madurai to dispose of the E.P.No.21 of 2006 along with E.A.No.224 of 2009 in E.A.No.803 of 2008 in O.S.No.254 of 2002 on merits and in accordance with law, on or before 31.07.2015.

With the above direction, the civil revision petition is disposed of. No costs.

Sd/-

Assistant Registrar(T & P)

/True Copy/

Sub-Assistant Registrar

To

The I Additional Subordinate Judge, Madurai.

+1cc to Mr.H.Velavadhas, Advocate, in SR. No.6546/2015.

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