

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.03.2016

CORAM

THE HONOURABLE MR. JUSTICE P.R.SHIVAKUMAR

C.R.P (PD) No.4156 of 2015

1.Ammami Ammal
2.Dhanalakshmi

... Petitioners

vs.

1.Semmalaipadayachi
2.Rajendran
3.Murugesan
Karuppan (died)
4.Duraisamy @ Duraiyan
5.Narayanan
6.Perumal
7.Pachamuthu
8.Thangamani
9.Pavunampal
10.Selvaraj
11.Periyasamy
12.Sellammal

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to dispose E.P.No.2 of 2001 in O.S.No.227 of 1989 pending on the file of District Munsif, Attur within a specific period of time fixed by this Hon'ble court.

For Petitioner : Mr.T.Ganesan

ORDER

Respondents 4 and 6 to 9 have been served with notice through court. The other respondents have been served with private notice with the permission of the court. The names of the respondents have been printed in the cause list. They have not chosen to enter appearance either in person or through counsel. Hence this court deems it appropriate to hear the submissions to be made on behalf of the petitioners and pass orders. Accordingly, the arguments advanced by Mr.T.Ganesan, learned counsel for the petitioners are heard. The materials produced in the form of typed set of papers are also perused.

2. Aggrieved by the long pendency of an execution petition of the year 2001 filed for recovery of the possession, the petitioners have come forward with the present petition invoking the power of superintendence of this court under Article 227 of the Constitution of India to issue a direction to the court below to dispose of the execution petition within a specific period to be fixed by this court.

3. The suit is of the year 1989. The execution petition came to be filed in 2001 itself. It is quite shocking that the execution petition is pending for 15 years. Hence this court is of the considered view that it is a case in which it is just and necessary that the court has to issue a direction sought for.

Accordingly, the civil revision petition is allowed. The learned

District Munsif, Attur is directed to complete the enquiry in the execution petition in E.P.No.2 of 2001, and dispose of the same, as expeditiously as possible, in any event not later than three months from the date of receipt of a copy of this order. However, there shall be no order as to cost.

30.03.2016

Index : Yes/No
Internet : Yes
asr

To

The District Munsif, Attur

P.R.SHIVAKUMAR, J.

asr/-

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