

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2016

CORAM

THE HONOURABLE Dr.JUSTICE S.VIMALA

CRP (NPD) No.1211 of 2016

Hariharan
S/o.C.M.Nataraja Pillai .. Petitioner
Vs

1.T.P.Gopalakrishnan
S/o.G.K.Parameswaran

2.Baby
W/o.C.N.Malu Pillai

3.Mohan
S/o.Periyasamy

4.Kala
W/o.Mohan .. Respondents

Prayer:- Civil Revision Petition filed under Article 227 of the Constitution of India, praying to issue directions, directing the Subordinate Court, Tambaram, to dispose of the petition in I.A.No.48 of 2015 in CMA.No.9 of 2015 as expeditiously as possible.

For Petitioner :Mr.S.Mohanasundararajan

ORDER

This Civil Revision Petition has been filed by the revision petitioner/plaintiff seeking direction to the Lower Court to dispose of I.A.No.48 of 2015 in CMA.No.9 of 2015 on the file of the Sub Court, Tambaram, within a limited time frame to be given by this Court.

2. The interlocutory application in I.A.48 of 2015 in CMA.No.9 of 2015, has been filed by one of the judgment debtor in E.P.No.49 of 2010, in which, stay was originally granted till 28.08.2015. Thereafter, service itself has been completed on 17.03.2016. That has made the revision petitioner to seek for early disposal of the stay application.

3. This Court is of the view that, such a request for early hearing ought to have been made before the Court, which is hearing the petitioner's CMA No.9 of 2015. It is submitted that having regard to pendency of the suit from the year 1997; pendency of the Execution Petition from the year 2010, and the dismissal of the Execution Application on 19.06.2015, such a direction for speedy disposal is indispensable. Perusal of the dates of adjournments reveal that the adjournments are too many.

4. Considering the stated circumstances, the Lower Court is directed to dispose of the stay application within a period of one month from the date of receipt of copy of the order.

5. With the above direction, this Civil Revision Petition stands disposed of. No costs.

20.04.2016

ds/mrp

Note : Issue order copy on 22.04.2016

To:

The Sub Court,
Tambaram.

S.VIMALA,J.

ds

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