

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2016

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

C.R.P.(NPD)No.197 of 2016

RPF Members Association
Southern Railway
Rep. By its President
D.Nagaraj

... Petitioner

v.

1.Union of India owning
Southern Railway
Rep. By its General Manager
Hadquarters Office
Park Town, Chennai – 600 003.

2.The Director general
Railway Protection Force
Railway Board
Rail Bhavan, New Delhi.

3.The Chief Security Commissioner
railway Protection Force
Headquarters Office
Park Town, Chennai – 600 003.

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned IX Assistant Judge, City Civil Court Chennai to dispose of the E.P.No.1041 of 2015 pending on its file at the earliest.

For Petitioner : Mr.M.Balasubramanian_

O R D E R

The decree holder-plaintiff has filed the above Civil Revision Petition to direct the IX Assistant Judge, City Civil Court, Chennai to dispose of the Execution Petition in E.P.No.1041 of 2015, within a stipulated time.

2. The learned counsel appearing for the revision petitioner submitted that in the Execution Petition, the judgment debtors were set ex-parte and an ex-parte order was passed. Subsequently, the judgment debtors filed an application in E.A.No.3716 of 2015 to set aside the ex-parte decree. The learned counsel appearing for the revision petitioner further submitted that the decree holder has no objection for setting aside the ex-parte order and disposing of the Execution Petition within a stipulated time.

3. Having regard to the submissions made by the learned counsel appearing for the revision petitioner and also taking into consideration the limited prayer sought for in the Civil Revision Petition, without expressing any opinion with regard to the merits of the case, I direct the IX

Assistant Judge, City Civil Court Chennai, to allow the application in E.A.No.3716 of 2015 on merits and in accordance with law and dispose of the Execution Petition in E.P.No.1041 of 2015, on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.

With these observations, the Civil Revision Petition is disposed of.
No costs.

25.01.2016

Index : Yes/No

Note : Issue copy of the order by 29.01.2016

Rj

To

The IX Assistant Judge,
City Civil Court,
Chennai

M. DURAISWAMY,J.,

C.R.P.(NPD)No.197 of 2016

25.01.2016