

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.08.2016

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

C.R.P.(NPD).No.2233 of 2016

1.Krishna Gounder

2.Kanakavalli

3.Purushothaman

4.Ramesh

5.Ravichandran

... Petitioners

Vs.

Krishnamoorthy

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India seeking for speedy disposal of O.E.A.No.237 of 2014 in O.E.P.No.242 of 2005 in O.S.No.151 of 2002 on the file of the Subordinate Judge, Arani.

For Petitioners : Ms.Sripriya
for M/s.V.Raghavachari

ORDER

The Judgment Debtors in O.E.P.No.242 of 2005 in O.S.No.151 of 2002 on the file of the Subordinate Court, Arani, have filed the above Civil Revision Petition to direct the Executing Court to dispose of the application

in O.E.A.No.237 of 2014 within a stipulated time.

2.Pursuant to the decree passed in O.S.No.151 of 2002, the respondent/Decree Holder filed an Execution Petition in O.E.P.No.242 of 2005. The said Execution Petition was dismissed for default on 09.04.2014. Thereafter, the Judgment Debtors filed an application in O.E.A.No.237 of 2014 to re-open the Execution Petition and to record full satisfaction.

3.The learned counsel for the petitioners submitted that though the application was filed as early as in the year 2014 and the respondent also filed his counter, the Executing Court has not disposed of the same yet.

4.In view of the submissions made by the learned counsel for the petitioners, 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 Subordinate Judge, Arani, to dispose of the application in O.E.A.No.237 of 2014 in O.E.P.No.242 of 2005 in O.S.No.151 of 2002, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

5. With these observations, the Civil Revision Petition is disposed of.

No costs.

Index : No
Internet : Yes
va

03.08.2016

To

The Subordinate Judge,
Arani.

M.DURAIWAMY,J.
va

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