

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2016

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

C.R.P.(NPD)No.2460 of 2016

Arulmigu Angalaparameswari Thirukkoil
rep by its Executive Officer having Office
at the temple premises at No.189,
Adam Sahib Street,
Royapuram,
Chennai-600 013

..... Petitioner

vs

A. Sankar

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India for a direction for early disposal of the proceedings in E.A.No.1467/2013 in E.P.No.3907/2007 on the file of IX Assistant Judge, City Civil Court, Chennai.

For Petitioner : Mr.S.D. Ramalingam

ORDER

The Decree Holder/plaintiff in E.P.No.3907/2007 on the file of IX Assistant City Civil Court, Chennai has filed the above Civil Revision

Petition to direct the Executing Court to dispose of the application in E.A.No.1467/2013 within a stipulated time.

2. Pursuant to the decree passed in the suit in O.S.No.5203/1997, on the file of IX Assistant Judge, City Civil Court, Chennai, the revision petitioner has filed an Execution Petition in E.P.No.3907 of 2007. In the said Execution Petition, the respondent has filed an application under Sec.47 of the Civil Procedure Code in E.A.No.1467/2013.

3. The learned counsel appearing for the petitioner submitted that though the application was filed in the year 2013 and the decree holder, having filed their counter in the said application, the Executing Court has not disposed of the same yet. The petitioner also enclosed Diary endorsements in the typed set of papers, which would reveal that the application is being adjourned for arguments periodically from 2013 till this date.

4. Keeping the application for years together cannot be appreciated by this Court. In these circumstances, taking into consideration the limited prayer sought in the Civil Revision Petition,

without expressing any opinion with regard to the merits of the case, I direct IX Assistant Judge, City Civil Court, Chennai to dispose of the application in E.A.No. 1467/2013 in E.P.No.3907/2007 in O.S.No. 5203/1997, 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.

11-08-2016

sr

Index:no
website:yes

To

The IX Assistant Judge, City Civil Court, Chennai.

M. DURAISWAMY,J.,

sr

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