

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.10.2016
Coram

The Hon'ble Mr.Justice M.DURAISWAMY

CRP(NPD)No.3141 of 2016
and C.M.P.No.15963 of 2016

S.Kousalaya

...Petitioner

Vs

1. The State of Madras
rep. By the Special Deputy Collector
State Housing Board
Madras 600 006.

2. The Special Tahsildar (LA)III,
T.N.H.B. Board Schemes,
T.N.H.B. Complex,
Chennai 600 035.

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India to direct the learned VI Assistant City Court, Chennai to pass necessary final orders in the pending Execution Petition No.2 of 2014 in LAOP No.150 of 1967 within a reasonable time.

For Petitioner : Mr.V.Raghupathi

ORDER

The decree holder in E.P.No.2 of 2014 in LAOP No.150 of 1967 on the file of the VI Assistant Judge, City Civil Court, Chennai, has filed the above Civil Revision Petition to direct the Executing Court to dispose of the Execution Petition within a reasonable time.

2. Pursuant to the decree passed in LAOP No.150 of 1967, the revision petitioner filed E.P.No.2 of 2014 for realising the decree amount. The learned counsel appearing for the revision petitioner submitted that though the respondents have entered appearance, they have not filed their counter and hence the Executing Court has been adjourning the matter periodically from 2014. In these circumstances, the learned counsel submitted that in view of long pendency of the matter, the petitioner is put to hardship and prejudice.

3. Having regard to the submissions made by the learned counsel for the petitioner, taking into consideration the limited prayer sought for in the Civil Revision Petition, without expressing any opinion on the merits of the case, I direct the VI Assistant Judge, City Civil Court, Chennai, to dispose of the Execution Petition in E.P.No.2 of 2014 in L.A.O.P.No.150 of 1967, 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. Connected miscellaneous petition is closed.

03.10.2016

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To

1. The Special Deputy Collector
The State of Madras
State Housing Board
Madras 600 006.
2. The Special Tahsildar (LA)III,
T.N.H.B. Board Schemes,
T.N.H.B. Complex,
Chennai 600 035.
3. The VI Assistant Judge,
City Civil Court
Chennai.

M.DURAIWAMY,J

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