

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 16.11.2016

CORAM

THE HONOURABLE MR.JUSTICE M. DURAISWAMY

C.R.P.(NPD)No.3480 of 2016

1.Hajamydeen

2.Abdul Rasheed

... Petitioners

Vs.

1.Hayarunisha Beevi

2.Basheer Mohammed

3.Noor Mohammed

4.Abdul Ajees

5.Raykhan Beevi,
through her Power Agent Abideen (Died)

6.The Government of Tamil Nadu,
rep by its District Collector,
Thiruvarur & District.

7.The Tahsildar,
Kudavasal Taluk,
Nannilam Munsif,
Thiruvarur District.

Mohammed Ibrahim (Died)

8.Haja Najibudeen

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India seeking to direct the District Munsif-cum-Judicial Magistrate Court, Nannilam to dispose of the E.P.No.14 of 2011 within a stipulated time.

For Petitioners : Mr.M.Thamizhavel

ORDER

The Decree Holders in the Execution Petition in E.P.No.14 of 2011 in O.S.No.115 of 2001 on the file of the District Munsif-cum-Judicial Magistrate, Nannilam, have filed the above Civil Revision Petition to direct the Executing Court to dispose of the Execution Petition within a stipulated time.

2.Pursuant to the decree passed in O.S.No.115 of 2001, the Decree Holders filed the Execution Petition in E.P.No.14 of 2011.

3.The learned counsel appearing for the petitioners submitted that though the Execution Petition was filed in the year 2011, the Executing Court has not disposed of the same yet. Further, the learned counsel submitted that all the respondents were served and they appeared through their counsel before the Executing Court. That apart, the learned counsel also submitted that in view of the long pendency of the matter, the Decree Holders are put to hardship and prejudice.

4.Having regard to 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 District Munsif cum Judicial Magistrate, Nannilam, to dispose of the Execution Petition in E.P.No.14 of 2011 in O.S.No.115 of 2001, on merits and in accordance with law, within a period of four months 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

16.11.2016

Note: Issue order copy on 21.11.2016.

To

- 1.The District Munsif-cum-
Judicial Magistrate Court,
Nannilam.
- 2.The District Collector,
Government of Tamil Nadu,
Thiruvavur & District.
- 3.The Tahsildar,
Kudavasal Taluk,
Nannilam Munsif,
Thiruvavur District.

**M. DURAISWAMY,J.
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