

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2016

CORAM:

THE HONOURABLE MRS.JUSTICE S.VIMALA

CRP (NPD) No.704 of 2016

T.Velu		Petitioner
	.Vs.	
1.Mr.G.Janakiraman 2.Mr.G.Venkatesan		Respondents

Prayer : Revision Petition is filed under Article 227 of the Constitution of India, seeking for a direction to the learned Subordinate Judge, Vellore to dispose the E.P.No.60 of 2010 in O.S.No.122 of 2007 on the file of the Subordinate Judge, Vellore, Vellore District.

For Petitioner : Mr.C.Sathasivam
for Mr.G.Rajan

ORDER

This Civil Revision Petition has been filed seeking direction to the learned Subordinate Judge, Vellore, to dispose of E.P.No.60 of 2010 in O.S.No.122 of 2007, within a limited time frame.

2. The learned counsel for the revision petitioner has submitted there is a decree passed for a sum of Rs.3,36,400/- together with interest @ 24% on the principal amount of Rs.2,00,000/- from the date of suit till the date of decree and future interest @ 6% per annum.

2.1. It is further submitted that the revision petitioner has filed a Execution Petition in E.P.No.60 of 2010 on the file of the Subordinate Court, Vellore.

2.2. It is also alleged that the respondents herein in collusion with REPCO Bank Limited have filed Execution Application in E.A.No.159 of 2012 and only because of the pendency of the Execution Application, the Execution Petition could not be disposed of and the execution petition is pending from 2010 and that no prejudice would be caused to the other side in giving a direction to the Executing Court to dispose of the Execution Application/Petition.

3. Whether the Execution Application is collusive or not is the matter to be decided. However, it is just and necessary that Execution Application should be disposed quickly so that the execution petition pending from 2010 can be disposed of without any impediment.

4. Considering the submissions made by the learned counsel for the petitioner, the Executing Court is directed to dispose of Execution Application in E.A.No.159 of 2012 as well as Execution Petition in E.P.No.60 of 2010, within a period of two months from the date of receipt of a copy of this order.

This Civil Revision Petition is disposed of with the above directions. No costs.

07.03.2016

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To

The Subordinate Judge, Vellore.

S.VIMALA, J

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