



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.09.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.R.P (MD) No.1732 of 2016 (PD)

P.Chandran

.. Petitioner/Plaintiff
Vs.

1.R.Jayalakshmi

2.The South Indian Real Estate

Company Private Ltd.,

through its Chairman,

S.Prabhakaran

.. Respondents/Defendants

Prayer : This Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the learned Subordinate Judge, Thirumangalam, to expedite and complete the execution proceedings in E.P.No.209 of 2014 in O.S.No.195 of 2005 on the file of the Principal Sub Court, Madurai.

For Petitioner : Mr.V.P.Rajan

ORDER

This revision is filed seeking for a direction to the Subordinate Judge, Thirumangalam, to expedite and complete the execution proceedings in E.P.No.209 of 2014 in O.S.No.195 of 2005, within a time frame.

2. Heard the learned counsel for the petitioner and perused the materials available on record.

3. Mr.V.P.Rajan, learned counsel for the petitioner would submit that the petitioner instituted a suit against the respondents in the year 2005 for specific performance and the suit was decreed on 06.04.2006, by the learned Principal Sub Judge, Madurai. The respondents have not filed any appeal and therefore, the decree has become final. Thereupon, the petitioner filed an execution petition in E.P.No.209 of 2014 in O.S.No.195 of 2005, for execution of sale deed.

4. The learned counsel for the petitioner would further submit that in the suit as well as in the execution petition, the respondents, despite receipt of notice, remained absent. However, the Executing Court ordered paper publication, which was also complied with by the petitioner and thereafter, they filed draft sale deed. However, again the Executing Court has ordered paper publication, which is unnecessary in this case and the delay in the



disposal of the case causes prejudice, loss and hardship to the petitioner.

5. Considering the submission of the learned counsel for the petitioner and without going into the merits of the case, the learned Subordinate Judge, Tirumangalam, is directed to dispose of E.P.No.209 of 2014, as expeditiously as possible, preferably, not later than 31.12.2016.

6. With the above direction, this Civil Revision Petition is disposed of. No Costs.

Sd/-

Assistant Registrar(CS I)

/True Copy/

Sub Assistant Registrar

PJL

To
The Subordinate Judge,
Tirumangalam, Madurai District.

+1 cc to Mr.V.P.RAJA ,Advocate, Sr.No: 49567

JAM/DB/16.09.16/ 2P-3C

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