

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:28.03.2017

CORAM

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

C.R.P.No.1167 of 2017

Rajasekaran

.. Petitioner

/versus/

- 1.Gunavathi
- 2.Violet
- 3.Elizabeth
- 4.Edward Selvakumar
- 5.Vasthick Roopavathi
- 6.Minor Sharmioa
- 7.Minor Decinder

(Minors 6 and 7 represented by
their mother and natural guardian
Vasthick Roopavathi)

- K.Munusamy(died)
- 8.Janakiraman
- 9.Nagammal
- 10.Chokammal
- 11.Alamelu
- 12.Govindammal
- 13.Chinnaponnu
- 14.Malliga
- 15.Venkatesan
- 16.Ms.Lakshmi
- 17.Mohandoss @ Velu
- 18.Varadhan
- 19.Mrs.K.Nagorni
- 20.J.Ramesh
- 21.K.J.Gunasekaran

.. Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India seeking direction for earlier disposal of E.P.No.62 of 2005 in O.S.No.104 of 1984 on the file of the learned Subordinate Judge, Poonamallee.

For Petitioner :Mr.G.Jeremiah

O R D E R

This petition has been filed seeking direction to the learned Subordinate Judge, Poonamallee to dispose of E.P.No.62 of 2005 in O.S.No.104 of 1984.

2. According to the petitioner, earlier the respondents 1 to 7 herein have made Execution Petitions in E.P.No.30 of 1987, which was closed on 07.07.1987 and E.P.No.108 of 1993, which was dismissed on 14.09.2004. Thereafter, the respondents 1 to 7/decree holders have filed another execution petition in E.P.No. 62 of 2005 in O.S.No.104 of 1984 before the Subordiante Judge, Poonamallee, which was pending for more than 10 years. In the said execution petition, the respondents 1 to 7 herein have filed Interlocutory Applications one after another, to drag on the execution proceedings. Hence, the petitioner/judgment debtor No.12 has filed the present petition before this Court for the aforesaid relief.

3. The learned counsel appearing for the petitioner would submit that because of filing of the Interlocutory Applications one after another, the petitioner could not be able to get orders in the execution petition.

4. Considering the nature of relief as prayed in the civil revision petition and taking note of the fact that the respondents 1 to 7 herein have filed the execution petition in E.P.No.62 of 2005 and the same is pending for more than 10 years, this Court has no other option except to direct the learned Subordiante Judge, Poonamallee to dispose of the execution petition E.P.No.62 of 2005 as early as possible.

5.The civil revision petition is disposed of and the learned Subordinate Judge, Poonamallee is directed to dispose of E.P.No.62 of 2005 in O.S.No.104 of 1984 as early as possible. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

ari

To

The Subordiante Judge,
Poonamallee.

+ 1 cc to Mr.G. Jeremiah, Advocate Sr.19839

C.R.P.No.1167 of 2017

NMI (CO)

Eu 04.4.17