

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2017

CORAM

THE HON'BLE MR. JUSTICE **D. KRISHNAKUMAR**

C.R.P.(NPD).No.3782 of 2017

Saraswathy

..Petitioner

Vs.

1.Kasiammal
2.Pandiyam
3.Vinayagam
4.Deepa
5.Kalaivani
6.Lakshmiammal
7.Gowriammal

..Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India to direct the Learned Principal Subordinate Judge, Tiruvannamalai to dispose of the R.E.P.No.13 of 2015 in O.S.No.176 of 1999 pending on its file at the earliest.

For Petitioner : Mr.P.Dinesh Kumar

ORDER

According to the petitioner, the petitioner has filed a suit in O.S.No.176 of 1999 before the Principal Subordinate Judge, Tiruvannamalai for partition. In the aforesaid suit, after contest, a

preliminary decree was passed on 19.02.2002. Thereafter, the petitioner had filed an application for passing of final decree in I.A.No.523 of 2003. A final decree has been passed on 07.07.2006. Thereafter, the petitioner has filed an Execution Petition in E.P.No.13 of 2015 on the file of Principal Subordinate Judge, Tiruvannamalai. After hearing of both sides, the delivery was ordered by the Principal Subordinate Judge, Tiruvannamalai on 30.11.2015. Thereafter, the petitioner has filed applications in E.A.Nos.3 and 4 of 2016 for demolition of the unlawful construction made in the schedule mentioned property and seeking Police Aid through Court Amin. When the said applications are pending, the third party has filed applications in E.A.Nos.6 and 102 of 2016 and the same are also pending between the Execution Parties. Therefore, the petitioner has filed the present Civil Revision Petition before this Court to dispose of the R.E.P.13 of 2015 in O.S.No.176 of 1999.

2. In view of the above submissions made by the learned counsel for the petitioner and considering the aforesaid fact, at this stage, it is for the court below to dispose of the applications in E.A.Nos.6 and 102 of 2016 and E.A.Nos.3 and 4 of 2016 filed in the aforesaid Execution Petition in accordance with law as expeditiously as possible, preferably within a period of six weeks from the date of receipt of a copy of this

order. Accordingly, the Civil Revision Petition is disposed of as above. No costs.

30.10.2017

Speaking/Non-speaking order

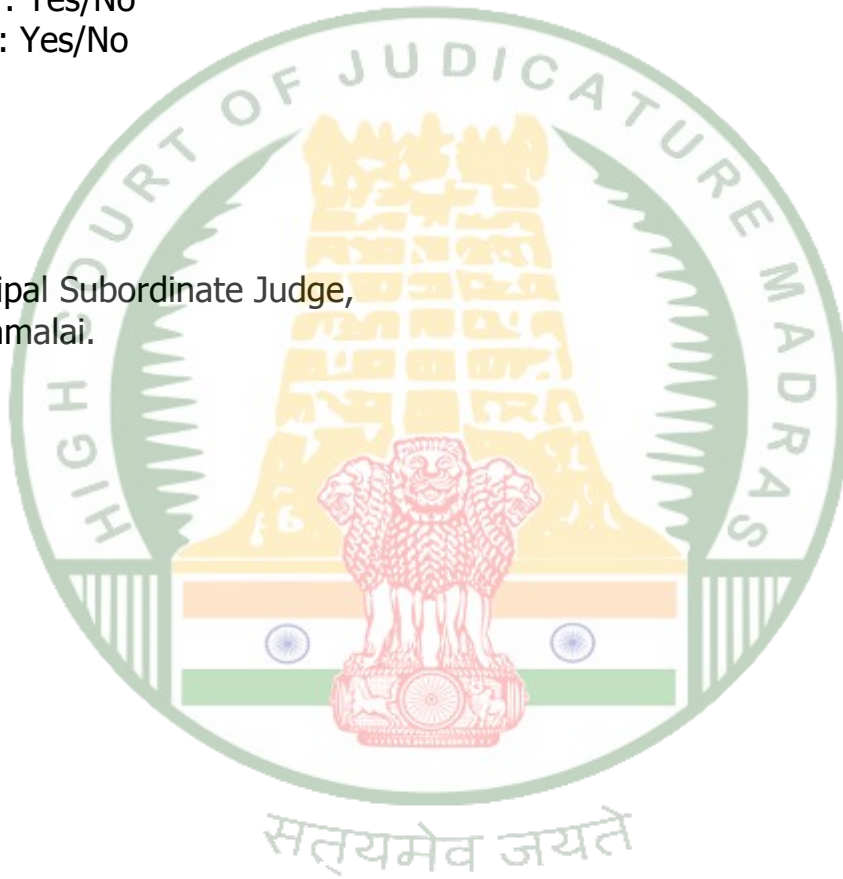
Index : Yes/No

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To

The Principal Subordinate Judge,
Tiruvannamalai.



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D.KRISHNAKUMAR. J,

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CRP.(NPD).No.3782 of 2017

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30.10.2017