

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2017

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRP (PD) No. 4578 of 2017

A.Shanmugasundaram (Since Deceased)

1.A. Ponraj

2.Thilagavathi

3.Sri Muruga Prakash

.. Petitioners

Vs

Marappa Gounder (Since Deceased)

Jagadeshan (Since Deceased)

Miniammal (Since Deceased)

Kalavathi Madhavan

.. Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to issue suitable direction to the learned Subordinate Judge, Bhavani, to dispose of the E.P. No.33 of 2015 in O.S. No.373 of 1986 pending on the its file within time frame to be fixed by this Court.

WEB COPY

For Petitioners

: Mr. M.Venkateshan

ORDER

This revision is filed seeking to direct the learned Subordinate Judge, Bhavani, to dispose of the E.P. No.33 of 2015 in O.S. No.373 of 1986, within the time frame fixed by this Court.

2. The learned counsel for the petitioners submitted that the petitioners herein filed the Original Suit in O.S. No.373 of 1986, which was decreed on 04.09.1990. Against the said order, the respondents filed Appeal Suit in A.S. No.179 of 1991 before this Court, which was dismissed on 03.11.2006. Hence, the petitioners have filed the Execution Petition in E.P. No.33 of 2015 in O.S. No.373 of 1986. Since, the sale deed has been executed by the executing Court on 13.02.2012 and the execution proceedings is pending.

3. According to the petitioners, however, there is no legal impediment to dispose of the Execution Petition, the said case is being adjourned from time to time. Hence, the petitioners have filed this revision petition, seeking the aforesaid prayer.

4. In view of the above submission, this Court directs the Subordinate Judge, Bhavani, to dispose of the E.P. No.33 of 2015 in O.S. No.373 of 1986, in accordance with law, as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order.

5. The Civil Revision Petition is disposed of, with the above direction. No order as to costs.

14.12.2017

Index : Yes/ No

Speaking order/ Non speaking order

rkp

Note: Issue Order Copy on 21.12.2017

To
The Subordinate Judge,
Bhavani

WEB COPY

D. KRISHNAKUMAR J.,

rkp



CRP (PD) No. 4578 of 2017

WEB COPY

14.12.2017