



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Wednesday, the Twenty Ninth day of November Two Thousand Seventeen

PRESENT

WEB COPY

The Hon`ble Mrs.Justice J.NISHA BANU

CRP(MD) No.1890 of 2015 (NPD)

S.MUNIYANDI THEVAR

: PETITIONER/PETITIONER/
3rd PARTY/3rd PARTY

Vs

KOVAKKAL @ KOVAMMAL (DIED)

1 GOPAL

2 RENGASAMY

: RESPONDENTS 1&2/RESPONDENTS 1 TO 3/
PETITIONERS/LRs OF THE DECREE HOLDER

3 KATHALINGAM

PERUMAL NAICKER (DIED)

4 V.P.RAMASAMY NAICKER

MASAKKAL (DIED)

5 RAMAKKAL

6 CHINNAMMAL

7 ALAGAR @ ALAGARSAMY

8 BOMMAKKAL

: RESPONDENTS 4 TO 8/RESPONDENTS 4 TO 11/
JUDGMENT DEBTORS/LRs OF JUDGMENT DEBTORS

Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for the records pertaining to the order passed dated 19.06.2015 in Un-numbered EA.No. of 2015 in EP.No.17/2014 against OS.No.539/1982 on the file of the Principal District Munsif Court, Srivilliputtur and to set aside the same.

ORDER : This Civil Revision Petition is coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/r.K.SUDALAIYANDI, Advocate for the petitioner and Mr.K.RAJKUMAR, Advocate for the Respondent Nos.1 and 2, and Respondent Nos.3 to 8 not appeared either in person or by an Advocate, the Court made the following order:-

The matter has been listed today under the caption 'for extension of time'.
<https://hcservices.ecourts.gov.in/hcservices/>



2.This Court by order dated 28.02.2017 in the CRP, has directed the learned Principal District Munsif, Srivilliputtur, to dispose of E.P.No.17 of 2014 on or before 30.04.2017.

3.The learned Principal District Munsif vide letter dated 20.04.2017 has requested extension of time stating that the order dated 28.02.2017 was received on 04.03.2017 and after hearing both sides, delivery was ordered on 20.03.2017, but delivery was not effected for want of Village Administrative Officer, Surveyor and Police help. Under Order 21 Rule 97 CPC, application was filed by a third party on 12.04.2017 in E.A.No.75/2017 and the same was posted for counter of the respondents by 24.04.2017 and therefore, extension of two months time was requested and the same was granted by this Court on 04.05.2017.

4.Now, by letter dated 23.11.2017, the District Munsif cum Judicial Magistrate No.I, Sattur, has sought for two months time stating that he has taken over the charge of the post of Principal District Munsif cum Judicial Magistrate No.I, Srivilliputtur, as full additional charge on 05.05.2017. It is also stated that the counsel for R6 in E.A.75/17 in E.P.17/14 has withdrawn the vakalat on 24.04.2017 and hence, notice to R6 was ordered on 24.04.2017 and the same is yet to be served. Therefore, fresh notice to R6 was ordered on 16.11.2017.

5.The learned Principal District Munsif cum Judicial Magistrate No.I, Srivilliputtur, has to consider the attitude of the parties in the manner in which they delay the proceedings and dispose of E.A.No.75/17 and E.P.17/14 within two months from the date of receipt of this order.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

TO

1. THE PRINCIPAL DISTRICT MUNSIF, SRIVILLIPUTHUR.
2. -DO- THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT.

+ 1 CC TO Mr.K.RAJKUMAR, ADVOCATE IN SR No. 90599

DATED : 29.11.2017

ORDER

CRP(MD) No.1890 of 2015

Giving direction stated
within.