



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:09.11.2017

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (PD) (MD) No.2007 of 2017

WEB COPY

1.Kasi
2.Seeniammal
3.Chellammal
4.Elangovan
5.Pavun

... Petitioners 1 to 5/Petitioners 1 to 5
Plaintiffs 1,3 to 6.

vs.

1.Yahappan
2.Mayan
3.Ramaraj
4.Nataraj
5.Murugan
6.Alagar
7.Deivendran
8.Ramasamy
9.Periyasamy
10.Sethuraman
11.Chelladurai
12.Ramu
13.Ponnuchamy
14.Gaanesan
15.Mokkai
16.Soundarapandian
17.Sivakumar

... Respondents 1 to 17/Respondents 1 to 17
defendant 1 to 3 , 5 to 9 and 11 to 19.

PRAYER: Petition filed under Article 227 of the Constitution of India praying to call for the records relating to EP.No.36 of 2016 in OS.NO.154 of 2008 pending on the file of the Learned District Munsif / Judicial Magistrate, Bodinayakanur, Theni District and issue direction to dispose the above EP within the time stipulated by this Court.

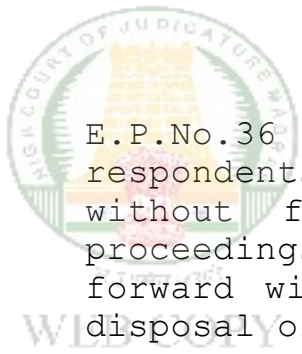
For Petitioner : Mr.J.Anandkumar

ORDER

The above Civil Revision Petition has been filed seeking a direction to the learned District Munsif/Judicial Magistrate, Bodinayakanur, Theni District to dispose of E.P.No.36 of 2016 in O.S.No.154 of 2008, within the stipulated time as fixed by this Court.

<https://hcservices.ecourts.gov.in/hcservices/>

2. The petitioner would aver among things that the original suit was of the year 2008 and the application for execution in



E.P.No.36 of 2016 is pending from the month of June 2016. The respondents, without any just cause, simply dragging on the matter without filing counter for the past 1 ½ years in E.P., proceedings. Aggrieved over the same, the petitioner has come forward with the present petition seeking a direction for early disposal of the execution petition.

3. Heard the learned Counsel for the petitioner and perused the materials available on record.

4. The prayer in the petition itself is with a limited prayer for speedy disposal of the execution petition in E.P.No.36 of 2016 in O.S.No.154 of 2008 and therefore, no notice is necessary to the respondents.

5. Considering the facts and circumstances of the case, this Court is of the view that ends of justice would be met, if a direction is issued to the trial Court. Accordingly, having regard to the submissions made by the learned Counsel for the petitioners and also taking into consideration the limited prayer sought for in this Civil Revision Petition, without expressing any opinion with regard to the merits of the case, this Court directs the learned District Munsif/Judicial Magistrate, Bodinayakanur, Theni District to dispose of E.P.No.36 of 2016 in O.S.No.154 of 2008 on merits and in accordance with law within a period of two months from the date of receipt of a copy of this order.

6. With the above directions, the Civil Revision Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

The District Munsif/Judicial Magistrate Court,
Bodinayakanur, Theni District.

Copy to

The Registrar(Judicial)
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.J.Anandkumar, Advocate Sr.No.86475

SSL

VB/MR/KKR/SAR2/21.11.2017/2P/4C

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