



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **24.11.2017**

CORAM :

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

CRP (PD) (MD) No.2171 of 2017

T.G.R.Vasanthakumar

... Petitioner/1st Respondent/
Petitioner / Plaintiff

vs.

1.S.Deepan Prabhu

... 1st Respondent /Petitioner
Third Party / Third Party

2.Sureshkumar

3.Sudharsan

4.Balaji

...Respondents No.2 to 4/Respondents No.2 to 4
Respondents / Defendants

PRAYER: Petition filed under Article 227 of the Constitution of India, seeking direction to expedite the disposal of E.A.No.34 of 2017 in E.P.No.34 of 2008 in O.S.No.129 of 2004 on the file of the learned I Additional District Court, Trichy.

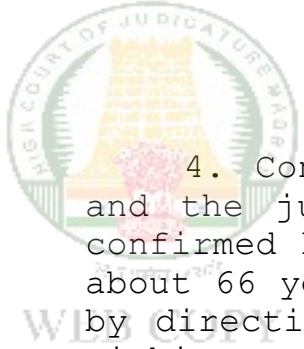
For Petitioner : Mr.S.Vinayak

O R D E R

This Civil Revision Petition has been filed seeking a direction to expedite the disposal of E.A.No.34 of 2017 in E.P.No.34 of 2008 in O.S.No.129 of 2004 on the file of the I Additional District Court, Trichy.

2. The learned counsel for the petitioner would aver among other things that the judgment and decree dated 01.09.2005 passed in O.S.No.129 of 2004 has been confirmed by the Hon'ble Supreme Court in S.L.P. No.8821 of 2017. The petitioner in Execution Application is none other than the second respondent's son. The respondents 2 and 4 have already lost their case. But to drag on the proceedings, E.A.No.34 of 2017 has been filed. Though the decree was passed on 01.09.2005 and 12 years passed, the matter has not been come to an end and the petitioner is aged 66 years and therefore, the petitioner has come forward with the present Civil Revision Petition for early disposal.

3. Since it is only a petition for early disposal of Execution Application, no notice is necessary to the respondents herein.



4. Considering the facts that the suit is of the year 2004 and the judgment was passed in the year 2005 and the same was confirmed by the Hon'ble Supreme Court and the petitioner is aged about 66 years, this Court feels that ends of justice would be met by directing the Court below to dispose of Execution Application within a time frame. Without adverting to the merits of the case, a direction is issued to the learned I Additional District Judge, Trichy, to dispose of E.A.No.34 of 2017 in E.P.No.34 of 2008 in O.S.No.129 of 2004 within a period of three months from the date of receipt of a copy of this order.

5. With the above direction, this Civil Revision Petition is disposed of. No costs.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To

The I Additional District Court,
Trichy.

+ 1 cc TO Mr.S.Vinayak , Advocate in SR No. 89579

CM

AE/SKN RSK/SAR1/15.12.2017/2P/3C

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