



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 05.12.2017

CORAM

THE HON'BLE MRS.JUSTICE J.NISHA BANU

WEB COPY

C.R.P. (MD) (PD) No.2273 of 2017

M.Masilamani ... Petitioner/Petitioner/Petitioner
-Vs-
Ganapathy Raj ... Respondent/Respondent/Respondent

Prayer: Civil Revision petition filed under Article 227 of the Constitution of India for issuance of a direction, to the Principal District Munsif Court, Srivilliputtur to dispose of the E.P.No.13 of 2017 in R.C.O.P.No.10 of 2014 within a specified period that this Court deem fit in the circumstance of the case.

For Petitioner : Mr.K.Sudalaiyandi

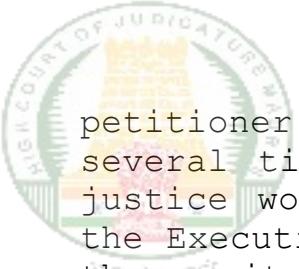
O R D E R

This Civil Revision Petition has been filed seeking a direction to the learned Principal District Munsif, Srivilliputtur, to dispose of E.P.No.13 of 2017 in R.C.O.P.No.10 of 2014 within a specified period that this Court deem fit in the circumstance of the case.

2.The learned counsel for the petitioner would aver among other things that the petitioner has filed R.C.O.P.No.10 of 2014 against the respondent for willful default, demolition, reconstruction and also for own occupation. At the time of trial, even though sufficient opportunity was given to the respondent, he did not cross examine the petitioner and eviction petition was ordered on 21.11.2016 on merits with a condition to handover the vacant possession of the property within two months. Though Execution Petition in E.P.No.13 of 2017 was filed, the Execution Court has adjourned the same frequently from 19.04.2017 till today. Therefore, the petitioner has come forward with the present Civil Revision Petition for early disposal of the above said Execution Petition.

3. Since a direction for early disposal of the Execution Application is sought for by the petitioner, no notice is necessary to the respondent herein.

<https://hcservices.courts.gov.in/hcservices/>
4. Considering the facts and circumstances of the case and considering the submission of the learned counsel for the



petitioner that the Execution Court has adjourned the matter for several times without any reason, this Court feels that ends of justice would be met by directing the Court below to dispose of the Execution Petition within a time frame. Without advertting to the merits of the case, a direction is issued to the learned Principal District Munsif, Srivilliputtur, to dispose of E.P.No.13 of 2017 in R.C.O.P.No.10 of 2014 on merits and in accordance with law within a period of two 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(CO)

/True copy/

Sub Assistant Registrar

To,

The Principal District Munsif, Srivilliputtur.

+1cc to Mr.K.SUDALAIYANDI,Advocate,SR. 90841

C.R.P.(MD) No.2273 of 2017
05.12.2017

CM

KK/SV MMS/SAR 1/19.12.2017/ 2P- 3C/