



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2017

CORAM:

WEB COPY

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P (NPD) (MD) No.265 of 2017

Ramamoorthy ... Petitioner / Decree Holder / Plaintiff

Vs

Veeranan ... Respondent / Judgment Debtor / Defendant

PRAYER: Civil Revision Petition is filed, under Article 227 of the Constitution of India, to direct the Learned District Munsif, Sattur to dispose the E.P.No.18 of 2012 in O.S.No.54 of 2008 in a speedy manner within a time frame as fixed by this Court.

For Petitioner : Mr. K.P. Narayanakumar

ORDER

The petitioner has filed this Civil Revision Petition to direct the Learned District Munsif, Sattur, to dispose E.P.No.18 of 2012 in O.S.No.54 of 2008 in a speedy manner within a time frame as fixed by this Court.

2.The petitioner is the plaintiff and the respondent is the defendant in the suit. The petitioner filed suit in O.S.No.54 of 2008 for declaration, mandatory injunction and recovery of possession. The said suit was decreed by the judgment and decree, dated 29.06.2011. Against the said judgment and decree, the respondent filed an appeal in A.S.No.41 of 2011 and the said appeal was dismissed on 23.12.2011. After dismissal of the first appeal, the petitioner filed E.P.No.18 of 2012 for execution of the decree dated 29.06.2011. The respondent/judgment debtor filed counter on 14.12.2012 and delivery was ordered on 15.07.2013, but it was not effected. Hence, the petitioner filed petition for police help. Subsequently, re-delivery was ordered. In the meantime, judgment debtor has filed number of applications to drag on the proceedings. Though, the delivery was ordered on 15.07.2013, the petitioner is not in a position to take delivery of possession due to the pendency of E.P., which has been adjourned without any progress. In the circumstances, the petitioner has come out with the present Civil Revision Petition for early disposal of E.P.No.18 of 2012 in O.S.No.54 of 2008.



3.I have heard the learned counsel appearing for the petitioner and also perused the entire materials on record.

4.Taking into consideration the material facts and circumstances, this Court is of the view that in the interest of justice, it may be expedient to issue a direction to the learned District Munsif, Sattur.

5.Accordingly, this Civil Revision Petition is allowed and the learned District Munsif, Sattur, is directed to dispose of E.P.No.18 of 2012 in O.S.No.54 of 2008, as expeditiously as possible, in any event, not later than, 30th June, 2017. No costs.

Sd/-

Assistant Registrar(C)

/True Copy/

Sub Assistant Registrar

am

To

The District Munsif,
Sattur.

+1cc to Mr.K.P.Narayanakumar, Advocate Sr.No. 7459

JAM/27.02.17 /MR/ 2p-3c

C.R.P (NPD) (MD) No.265 of 2017
09.02.2017