



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2017

CORAM:

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THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P(MD)No.376 of 2017 (NPD)

1.Balarengarajulu
Andal (Died)
2.Sri Balathayadevi
3.Karthikeya Perumalrajulu ..Petitioners/Petitioners/Plaintiffs

Vs.

1.Ramalakshmi
2.Venkatasamy
3.Sridar ...Respondents/Respondents/ Defendants

PRAYER: Civil Revision Petition is filed, under Article 227 of the Constitution of India, to direct the learned Principal District Munsif Judge, Srivilliputtur to dispose the Execution Petition in E.P.No.98/2014 in O.S.No.91/2005 within a stipulated time as fixed by this Hon'ble Court.

For Petitioners : Mr.K.Vamanan

ORDER

The petitioner has filed this Civil Revision Petition to direct the learned Principal District Munsif, Srivilliputtur to dispose of the Execution Petition in E.P.No.98/2014 in O.S.No.91/2005 within a stipulated time as fixed by this Court.

2.The petitioners are the plaintiffs and the respondents are the defendants. The petitioners filed suit in O.S.No.91 of 2015 against the respondents for recovery of possession. By the judgment and decree, dated 21.12.2010, suit was decreed granting three months time to the respondents to hand over the possession to the petitioners on or before 21.03.2011. The respondents did not hand over the possession to the petitioners. Against the said judgment and decree, dated 21.12.2010, the respondents filed first appeal in A.S.No.24 of 2011 before the Sub Court, Srivilliputhur. Pending first appeal, the petitioners filed E.P.No.98 of 2014. The said E.P., was adjourned on the ground that first appeal is pending. Subsequently, first appeal in A.S.No.24 of 2011 was dismissed by the judgment and decree, dated 11.11.2016. Even after dismissal of the first appeal, E.P., is not taken up for hearing.



In the circumstances, the petitioners have come out with the present Civil Revision Petition for early disposal of E.P.No.98 of 2014.

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

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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 Principal District Munsif, Srivilliputtur.

5.Accordingly, this Civil Revision Petition is allowed and the learned Principal District Munsif, Srivilliputtur is directed to dispose of E.P.No.98 of 2014 in O.S.No.91 of 2005 as expeditiously as possible, in any event, not later than, 30th June, 2017. No costs.

Sd/-

Assistant Registrar (CSII)

/True Copy/

Sub Assistant Registrar

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To

The Principal District Munsif,
Srivilliputtur

+1cc to Mr.K.VAMANAN, Advocate Sr.No. 11310

JAM/06.03.17 /SKN/SAR 2/2P-3C

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