

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2018

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P.(PD)No.1416 of 2018

1.S.Veerappan
2.P.Sekar
3.R.Gnanasekaran
4.V.Balasubramanian
5.M.Palanivel

.. Petitioners

Vs.

V.Balagourou

.. Respondent

Civil Revision Petition is filed under Article 227 of the Constitution of India, for a direction to the learned District Judge, Karaikal, to dispose E.As. and E.P.No.30 of 2010 within the time stipulated by this Court.

For Petitioner : Mr.A.Muthukumar

ORDER

This Civil Revision Petition is filed seeking a direction to the learned District Judge, Karaikal, to dispose E.As. and E.P.No.30 of 2010 within the time stipulated by this Court.

2.According to the petitioners, they filed O.S.No.30 of 2006 on the file of the Additional District Court, Puducherry against the

father of the respondent and 13 others and the said suit was decreed. Challenging the said judgment and decree dated 26.06.2009, the defendants in the said suit filed four First Appeals as A.S.Nos.86 & 841 of 2010, 374 of 2011 and 7 of 2012 before this Court. During pendency of the First Appeals, they have filed petition for stay of decree and this Court did not grant any interim stay and dismissed the petition. Challenging the same, S.L.P. was filed and the same was also rejected by the Hon'ble Apex Court. Ultimately, all the four First Appeals were dismissed. The petitioners took administration of the temple through Court process in E.P.No.30 of 2010 on 21.01.2011. The petitioners could not take delivery of possession of the property as per the decree passed in O.S.No.30 of 2006.

3.At the instigation of the defendants, third parties filed various applications obstructing delivery of possession and the said applications were dismissed. Challenging the same, C.M.A. and C.R.P. were filed before this Court and the same were also dismissed. Now four applications in E.A.Nos.27, 28, 31 of 2015 and 42 of 2016 filed by third parties are pending for more than four years due to non co-operation of the parties and E.P. is pending for

more than eight years. In view of the same, the petitioners have come out with the present Civil Revision Petition for early disposal of four E.As. and E.P.No.30 of 2010.

4. Heard the learned counsel appearing for the petitioners.

5. Having regard to the submissions made by the learned counsel for the petitioners, considering the limited prayer sought for in the Civil Revision Petition, since the E.P. is pending from the year 2010 and E.As. filed by the third parties are pending for the past four years, without expressing any opinion with regard to the merits of the matter, I direct the learned District Judge, Karaikal, to dispose of E.A.Nos.27, 28, 31 of 2015 and 42 of 2016 on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order and dispose E.P.No.30 of 2010 on merits, within a period of three months thereafter.

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

21.06.2018

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V.M.VELUMANI,J.

kj

To

The District Court, Karaikal.

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