

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 07.06.2018

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

C.R.P.(NPD). No.1526 of 2018

Farida Beevi

... Petitioner

Vs.

Rasu

... Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to direct early disposal of execution Petition in E.P.No.21 of 2016 in O.S.No.15 of 2005 pending on the file of the learned District Munsif cum Judicial Magistrate, Nannilam.

For Petitioner : Mr.S.Sounthar

For Respondent : No appearance

ORDER

The relief sought for in this revision petition is to direct the trial Court for the early disposal of execution Petition in E.P.No.21 of 2016 in O.S.No.15 of 2005 pending on the file of the learned District Munsif cum Judicial Magistrate, Nannilam.

2. This Revision Petitioner filed a suit in O.S.No.15 of 2005 for recovery of possession. The suit was decreed in the year 2005, subsequently, he filed the Execution petition of delivery of possession.

3. According to the learned counsel for the petitioner, while disposing the second appeal in S.A.No.315 of 2017, this Court granted three months time to file necessary affidavit of undertaking. That being the actual position, the Execution proceedings is pending without any progress and the E P Court adjourned the case on 14.07.2017. Therefore, he has approached this Court for early disposal of the Execution proceeding.

4. Heard the learned counsel for the petitioner and perused the materials on record.

5. The Execution proceeding is of the year 2016. The endorsement shows that the second appeal in S.A.No.315 of 2017 is dismissed on 29.06.2017. This Court gave a direction to vacate the building within three months, whereas, the time limit granted by this Court is lapsed long back.

6. Since, the Execution proceeding is pending from 2015, the E.P.Court is directed to dispose the Execution proceedings in E.P.No.21 of 2016 in O.S.No.15 of 2005 pending on the file of District Munsif Cum Judicial Magistrate, Nannilam, within two months from the date of receipt of a copy of this Order, without any further delay.

7. With the above direction, the Criminal Revision petition is disposed of. No costs.

07.06.2018

Index:Yes/No

Speaking order / Non speaking order

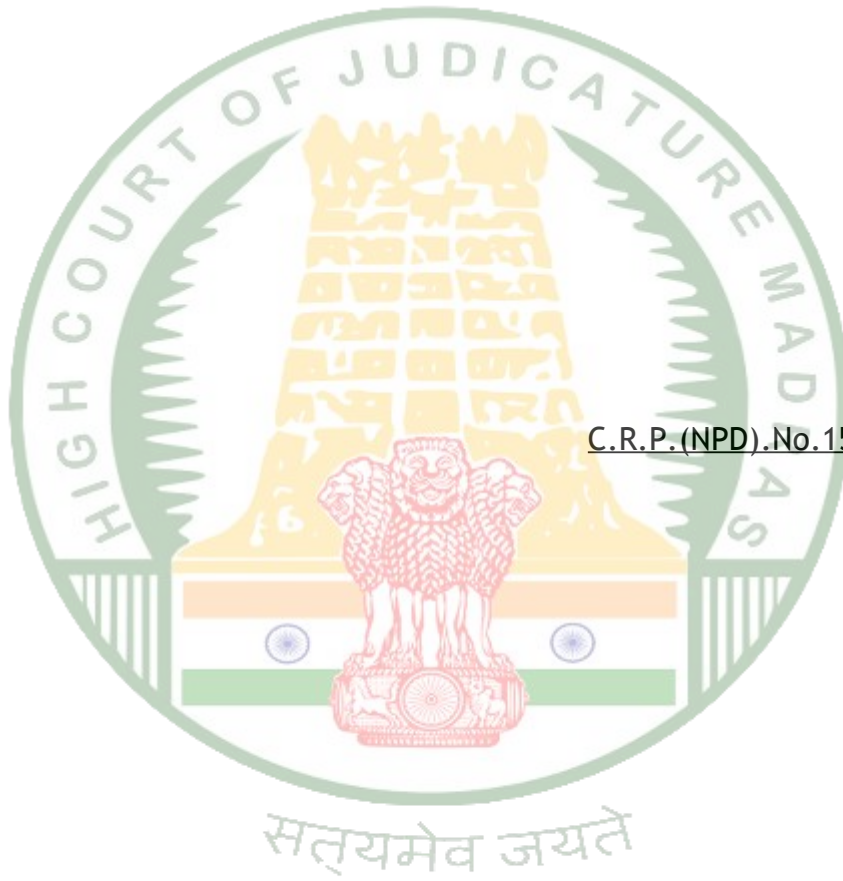
vum

To

The District Munsif cum Judicial Magistrate,
Nannilam .

WEB COPY

P.VELMURUGAN, J.,
vum



C.R.P.(NPD).No.1526 of 2018

WEB COPY

07.06.2018