

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

Review Application No.19 of 2018
and C.M.P.No.2112 of 2018

V. Boopathy ... Petitioner in Rev.A.19/18

Vs.

1. K.A.Sankaran
2. Periyathambi
3. Govindan
4. Subbramani
5. Raman

... Respondents Rev in Petitioner

Prayer : Review Application filed under Order 47 Rule 1 and 2 read with Section 114 of Civil Procedure Code against the order dated 22.09.2017 in C.R.P.(NPD) No.3386 of 2017 passed by this Court.

Prayer CRP (NPD) 3386/2017 : Petition filed by the Article 227 of the Constitution of India praying this Hon'ble Court to issue a direction to the sub ordinate Judge, Krishnagiri to dispose of the Rep.No 312 of 1997 O.S. 261 of 1977 pending on the file of the sub court krishnagiri.

For Petitioner : Ms.R.Poorima

For Respondents : Mr.A.E.Ravichandran

O R D E R

This Review Application has been filed to review the order dated 22.09.2017 in C.R.P.(NPD) No.3386 of 2017.

2. The Revision Petitioner is one of the decree-holders in the suit in O.S.No.261 of 1977 for partition and recovery of possession. He sought to execute the decree. Since the proceedings were protracted, he filed the Civil Revision Petition in C.R.P.(NPD) No.3386 of 2017 for early disposal of the Execution Proceedings in R.E.P.No.312 of 1997 and this Court, considering the age of the Revision Petitioner and time consuming procedure, given a direction to the Execution Court

to dispose of the execution proceedings within a period of three months.

3. In this present review application, one among the remaining decree holders seeks that protection should be given to his share in the suit property. This Court, considering the age of the parties, given a direction for early disposal and the directions given will not defeat the rights of the other decree holders. Once recovery of possession of the suit property is taken, the decree holders can work out their remedy in the manner known to law. The scope of the order is very limited and it does not decide the rights of the decree holders.

4. Therefore, the Review Application is not sustainable and accordingly, it is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

The Subordinate Judge, Krishnagiri.

+1cc to Mr.N.Anand Vengatesh, Advocate, S.R.No.8777

+1cc to Ms.R.poornima, Advocate, S.R.No.8946

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SV(CO)
RRK(07/02/2018)