



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

C.R.P. (NPD) (MD) No.742 of 2018

S.Somasundaram

... Petitioner

Vs.

Palanivelu

... Respondent

Prayer: The Civil Revision Petition is filed under Article 227 of the Constitution of India for a direction to the Subordinate Judge, Pudukottai for speedy disposal of the petition in E.P.No.102 of 2009 in O.S.No.153 of 2008 within a stipulated time as may be fixed by this Court.

For Petitioner : Mr.K.Baalasundharam

O R D E R

The revision petitioner is the plaintiff and he filed a suit in O.S.No.153 of 2008 before the Subordinate Judge, Pudukottai against the respondent and the same was decreed on 02.07.2009. Subsequently, the petitioner filed E.P.No.102 of 2009, for attachment and sale of the property in the year 2009 and the same is pending. In the mean time, the respondent/defendant set up one Sivakumar and filed a claim petition in E.A.No.96 of 2010 and the same was dismissed on 29.08.2016. Thereafter, the claim petitioner did not prefer any appeal and the same has attained finality. Now, the petitioner has filed the Civil Revision Petition by invoking the jurisdiction under Article 227 of the Constitution of India, seeking the extra-ordinary jurisdiction to direct the trial Court viz., the Subordinate Judge, Pudukottai for speedy disposal of the petition in E.P.No.102 of 2009 in O.S.No.153 of 2008 within a stipulated time.

2. Considering the nature of the prayer sought for in the Civil Revision Petition, this Court without issuing notice to the respondent, since there is no prejudice would be caused to the respondent, on the ground that the petitioner sought for only to expedite the Execution Petition, I am inclined to pass the following order:

The Civil Revision Petition is disposed of with a direction to the learned Subordinate Judge, Pudukottai, to dispose of the Execution Petition in E.P.No.102 of 2009 in O.S.No.153 of 2008, on day-to-day basis, without giving any adjournment to either parties, within a period of three months from the date of receipt of a copy of this order. Both the parties are directed to give a fullest co-



operation to the early disposal of the Execution Petition within the time limit fixed by this Court in the Civil Revision Petition. No costs.

Sd/
Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

To
The Subordinate Judge,
Pudukottai.

+1cc to Mr.K.BAALASUNDHARAM, Advocate, SR.No.59682

C.R.P. (NPD) (MD) No.742 of 2018
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KK/SV MMS/18.04.2018/SAR-4/2P-3C