



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 16.07.2018
CORAM
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

C.R.P. (MD) No.1453 of 2018

WEB COPY

Ranganathan, S/o.Rangamalai Thevar

... Petitioner

Vs.

Peya Thevar (Died)

1.Jeya @ Jeyalakshmi, W/o.Peya Thevar

2.Sureshkumar, S/o.Peya Thevar

3.Asha Prabha, D/o.Peya Thevar

... Respondents

Prayer:- This Civil Revision Petition is filed under Article 227 of the Constitution of India, to allow this Civil Revision Petition and thereby, direct the Subordinate Court, Uthamapalayam, to dispose of E.P.No.46 of 2004 in O.S.No.121 of 1996 (Sub-Court, Periyakulam), pending on its file, within the stipulated time to be fixed by this Court.

For Petitioner

:

Mr.B.Rajesh Saravanan

ORDER

The revision petitioner has filed the present Civil Revision Petition invoking Article 227 of the Constitution of India, seeking a direction to the learned Subordinate Judge, Uthamapalayam, to dispose of E.P.No.46 of 2004 in O.S.No.121 of 1996, within a stipulated time to be fixed by this Court.

2.Heard the learned counsel appearing for the revision petitioner. Since the case is for a limited relief of speedy disposal, no notice need be sent to the respondents.

3.The revision petitioner/plaintiff has filed a suit in O.S.No. 121 of 1996 before the Subordinate Court, Periyakulam, for specific performance. The said suit was decreed on 02.11.2000 in favour of the revision petitioner/plaintiff. Hence, the revision petitioner has filed E.P.No.46 of 2004. The said application is adjourned from time to time for more than 14 years without any progress. Hence, the revision petitioner has filed the present Civil Revision Petition seeking a direction to the learned Subordinate Judge, Uthamapalayam, to dispose of E.P.No.46 of 2004 in O.S.No.121 of 1996, within a time frame to be fixed by this Court.

4.Considering the limited relief sought for by the revision petitioner, without going into the merits and demerits of the allegation raised by the revision petitioner, this Civil Revision Petition is disposed of with the following direction:-



The learned Subordinate Judge, Uthamapalayam, is directed to dispose of E.P.No.46 of 2004 in O.S.No.121 of 1996, pending on his file, on merits and in accordance with law, as early as possible, preferably within a period of two months from the date of receipt of a copy of this order, on day-to-day basis, without giving any adjournment to both the parties.

No order as to costs.

Sd/-
Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

The Subordinate Judge,
Uthamapalayam,
Theni District.

+1CC to Mr.B.Rajesh Saravanan, Advocate, SR.No. 73342

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