



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2018

CORAM :

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

C.R.P.(MD)No. 1603 of 2018

S. Paramasivan

..

Petitioner

Vs.

K. Pandian

..

Respondent

PRAYER: Petition filed under Article 227 of the Constitution of India, to direct the learned Sub-Judge, Tuticorin to dispose the E.A.No.378 of 2016 in E.P. No.48 of 2015 in O.S. No.6 of 2009, within the time stipulated by this Court.

For Petitioner : Mr.V. Malaiyendran

ORDER

This Civil Revision Petition has been filed seeking a direction to the learned Sub-Judge, Tuticorin to dispose the E.A.No.378 of 2016 in E.P. No.48 of 2015 in O.S. No.6 of 2009, within the time stipulated by this Court.

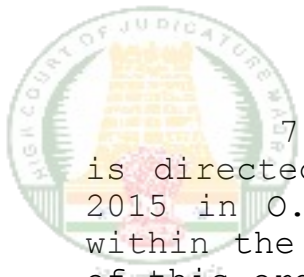
2. The revision petitioner herein is the plaintiff and the respondent herein is the defendant in O.S.No.6 of 2009. The revision petitioner herein/plaintiff has filed a suit in O.S.No.6 of 2009 before the learned Sub-Judge, Tuticorin for recovery of money and the above said suit was ordered in favour of the revision petitioner herein/plaintiff. The revision petitioner herein/plaintiff has filed a execution petition in E.P.No.48 of 2015 before the learned Sub-Judge, Tuticorin and also filed an application in E.A.No.378 of 2016. It is stated that the application is filed in the year 2016 and the matter has been prolonged for a long time without any progress and that a direction may be given by this Court for an early disposal, in the interest of justice.

3. Heard the learned Counsel for the petitioner and perused the materials available on record.

4. A perusal of the 'B' Diary extract would fortify the contentions made by the learned counsel for the petitioner.

5. The case has been adjourned on several occasions without any valid reason.

6. Therefore, this Court, without going into the merits of the allegation raised by the revision petitioners, is inclined to direct the Court below to dispose of the E.A.No.378 of 2016 in E.P. No.48 of 2015 in O.S. No.6 of 2009, within the stipulated period.



7. In view of the above, the learned Sub Judge, Tuticorin is directed to dispose of the E.A.No.378 of 2016 in E.P. No.48 of 2015 in O.S. No.6 of 2009, on merits and in accordance with law, within the period of two months, from the date of receipt of a copy of this order, after issuing notice to both the parties.

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8. The Civil Revision Petition is ordered accordingly. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar(CS-III)

To

The Sub-Judge,
Tuticorin.

+1CC to Mr.V. Malaiyendran, Advocate, SR.No.75870

C.R.P.(MD)No.1603 of 2018
30.07.2018

KSA

ES/RP/SAR 3/13.08.2018/2P/3C