



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.09.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

C.R.P. (NPD) (MD) No. 2074 of 2018

1.M.Pitchaikkaonar (Died)
2.P.Navamohandas
3.P.Vijayakumar
4.M.P.Muthukrishnan
5.P.Omprakash
6.R.Mohana
7.R.Madhu
8.R.Vishnu Raja
9.A.Girijabai (Died)
10.M.Devika Rani
11.Renuga Devi

... Petitioners

-Vs-

1.S.A.Mohammed Hanifa (died)
2.Muthu Madhar Kani
3.Jimman Begam
4.Sheik Azarudeen

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India, to expedite and conclude the E.P. Proceedings pending on the file of the learned Additional District Munsif / Rent Controller for Madurai City in E.P.No.319/2011 in R.C.O.P.No.3/2002 within a time stipulated as directed by this Court.

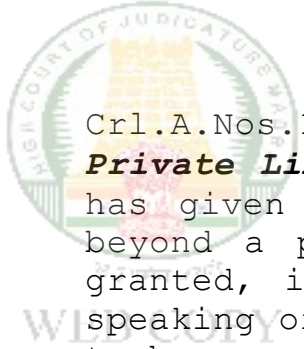
For Petitioners : Mr.I.Velpradeep

ORDER

The petitioners are the landlords. They obtained an eviction order against the respondents herein. To execute the said order, the revision petitioners filed execution petition in E.P.No.319 of 2011 before the Rent Controller for Madurai City.

2.The grievance of the revision petitioners is that even though no stay has been obtained by the respondents in the Civil revision petition in C.R.P.(MD)No.1705 of 2012 filed by them, the Court below is not proceeding with the execution petition.

3.This Court has to remind the Execution Court that the Hon'ble Supreme Court of India in the decision rendered in



Crl.A.Nos.1375 and 1376 of 2013 (**Asain Resurfacing of Road Agency Private Limited and another Vs. Central Burueau of Investigation**) has given a direction that pending proceedings cannot be stayed beyond a period of six months. Even if interim stay has been granted, if there is no specific extension of interim stay by a speaking order, the stay would lapse and the proceedings will have to be resumed.

4.In this case, the learned counsel appearing for the petitioners submits that no stay has been granted in C.R.P.(MD) No.1705 of 2012 before this Court.

5.In this view of the matter, the Court below is directed to proceed with the execution proceedings and conclude the same, within a period of four months from the date of receipt of a copy of this order. Of course, if in the meanwhile, any interim stay is received from this Court, the same will have to be complied with.

6.This Civil Revision Petition stands allowed. No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The Additional District Munsif / Rent Controller,
Madurai City.

2. The Record Keeper, (2 copies)
VR Section,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.I.Velpradeep, Advocate Sr.No.85975

MRY

VB/SKN/SAR1/10.10.2018/2P/5C

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