

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2019

CORAM

THE HON'BLE MR.JUSTICE R. SURESH KUMAR

C.R.P.No.3632 of 2019
and C.M.P.No.23031 of 2019

1.Subbulakshmi
2.Jayanthi
3.Manju
4.Manikandan

... Petitioners

-Vs-

Metropolitan Transport Corporation
(Chennai) Ltd., rep.by its Managing Director
Pallavan House, Anna Salai, Chennai 600 002.

... Respondent

Prayer : Civil Revision Petition under Article 227 of the Constitution of India to direct the lower Court to dispose of the E.P.No.238 of 2019 in MCOP No.2864 of 2011 pending on the file of the III Small Causes Court at Chennai.

For Petitioners : Mr.A.Saravanan

ORDER

This revision petition has been filed seeking a prayer of direction to the lower Court to expedite the hearing in E.P.No.238 of 2019 in M.C.O.P.No.2864 of 2011 pending on the file of the III Small Causes Court at Chennai.

2. Learned counsel for the petitioner would submit that, award was passed in M.C.O.P.No.2864 of 2011 on 03.02.2014, whereby a sum of Rs.10,32,800/- was

directed to be deposited by the respondent Corporation within a period of two months. Despite the award having been passed and without having filed an appeal, the respondent has not deposited the award amount, which necessitated the revision petitioners to file the Execution Petition in E.P.No.238 of 2019. In that E.P., also, though the respondent had entered appearance, no useful progress has been shown so far and it has been posted on various dates between 12.06.2018 to 04.07.2019 under the caption 'Counter' and thereafter it has been posted for 'enquiry' on 15.07.2019 and 'for orders' on 23.07.2019. However, for the last two hearings ie., on 30.08.2019 and 27.09.2019, the E.P., has been posted under the caption 'Lok Adalat'.

3. Learned counsel for the revision petitioners submits that, once an award is passed in M.C.O.P., and an E.P., was filed, at that stage there is no need to refer the matter to Lok Adalat and therefore, the E.P., cannot be kept pending any further.

4. I have considered the said submission made by the learned counsel for the revision petitioners and I find some force in the said contention.

5. In view of the above, there shall be a direction to the Court below ie., the III Judge, Court of Small Causes, Chennai to expedite the hearing in E.P.No.238 of 2019 and pass orders thereon finally, within a period of two months from the date

of receipt of a copy of this order. With the above direction, this Civil Revision Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

11-11-2019

Index : Yes / No
Internet : Yes / No
KST

To

The III Judge, Court of Small Causes, Chennai.



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