



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.06.2019

CORAM

WEB COPY

THE HON'BLE MRS.JUSTICE J.NISHA BANU

C.R.P. (MD) No.814 of 2019

Kaleel ... Petitioner/Petitioner/Petitioner/Plaintiff

-Vs-

Pushpaleela ...Respondent/Respondent/ Respondent/Defendant

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to direct the Subordinate Judge, Kuzhithurai, Kanyakumari District to dispose of the E.A.No.205 of 2017 in E.P.No.51 of 2012 in O.S.No.177 of 2011 on the file of the Subordinate Court, Kuzhithurai, Kanyakumari District within the time stipulated by this Court.

For Petitioner : Mr.S.Ramakrishnan
for Mr.B.Jameel Arasu

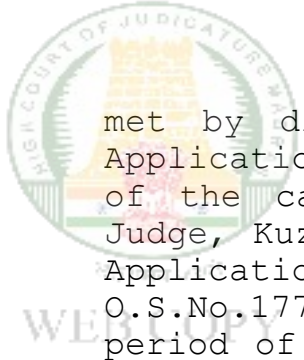
O R D E R

This Civil Revision Petition has been filed seeking a direction to the learned Subordinate Judge, Kuzhithurai, Kanyakumari District to dispose the E.A.No.205 of 2017 in E.P.No.51 of 2012 in O.S.No.177 of 2011 within the time stipulated by this Court.

2.The learned counsel for the petitioner would submit that he has filed a suit in O.S.No.177 of 2011 for specific performance of the agreement of sale dated 27.11.2009. The said suit was decreed in favour of the petitioner. Subsequently, he filed an Execution Petition in E.P.No.51 of 2012 and in the said petition, the learned Judge has ordered as " sale deed registered - E.P. Closed". Against which, the petitioner filed an application in E.A.No.205 of 2017 for execution and the same is pending without any progress. Hence, the present Civil Revision Petition.

3. Since this Civil Revision Petition is filed for early disposal of the Execution Application, no notice is necessary to the respondent herein.

4. Considering the facts and circumstances of the case and considering the fact that the Execution Application is pending from the year 2017, this Court feels that ends of justice would be



met by directing the Court below to dispose of the Execution Application within a time frame. Without advertent to the merits of the case, a direction is issued to the learned Subordinate Judge, Kuzhithurai, Kanyakumari District to dispose the Execution Application in E.A.No.205 of 2017 in E.P.No.51 of 2012 in O.S.No.177 of 2011 on merits and in accordance with law within a period of four months from the date of receipt of a copy of this order.

5. With the above direction, this Civil Revision Petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

msa

To,
The Subordinate Judge, Kuzhithurai, Kanyakumari District.

+1CC TO MR.B.JAMEEL ARASU, Advocate Sr. No. 68366

C.R.P. (MD) No.814 of 2019
12.06.2019

NS (CO)
TR (19.06.2019) 2P 3C