



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2019

CORAM

WEB COPY

THE HON'BLE MRS.JUSTICE J.NISHA BANU

C.R.P. (MD) No.830 of 2019

P.Chidambaram

... Petitioner/Petitioner/Plaintiff

-Vs-

K.Palaniyammal

...Respondent/Respondent/Defendant

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India seeking for a direction, directing the learned Sub Court, Sivagangai, Sivagangai District to dispose the execution proceeding in E.P.No.20 of 2018 in O.S.No.44 of 2008 within the time stipulated by this Court.

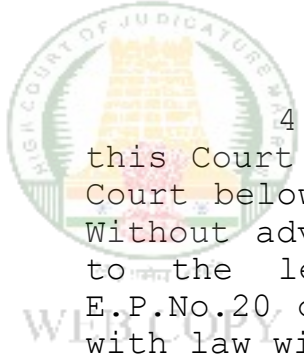
For Petitioner : Mr.G.Gomathi Sankar

O R D E R

This Civil Revision Petition has been filed seeking a direction to the learned Subordinate Judge, Sivagangai District to dispose the execution proceedings in E.P.No.20 of 2018 in O.S.No.44 of 2008 within the time stipulated by this Court.

2.The learned counsel for the petitioner would submit that the petitioner has filed a suit in O.S.No.44 of 2008 against the respondent for declaration and mandatory injunction. The said suit was decreed in favour of the petitioner. Against which, the respondent has filed an appeal in A.S.No.29 of 2015 and the same was dismissed. Subsequent to that, the petitioner filed an execution petition in E.P.No.20 of 2018 for executing the decree. The grievance of the petitioner is that the said E.P was adjourned in several occasions, without any valid reason and the Court below has not come forward to appoint the Amina to execute the decree. Hence, the petitioner before this Court for getting speedy disposal of the E.P.No.20 of 2018.

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



4. Considering the facts and circumstances of the case, this Court feels that ends of justice would be met by directing the Court below to dispose the execution petition within a time frame. Without advertent to the merits of the case, a direction is issued to the learned Subordinate Judge, Sivagangai to dispose the E.P.No.20 of 2018 in O.S.No.44 of 2008 on merits and in accordance with law within a period of two 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)

To,

The Subordinate Judge,
Sivagangai.

+1 CC to Mr.G.GOMATHI SANKAR, Advocate SR-69181.

C.R.P. (MD) No.830 of 2019
17.06.2019

CS: (25/06/2019) 2P 3C