



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

C.R.P (MD)No.1860 of 2019

WEB COPY

Arulmigu Dhandayuthapaniswamy Temple,
Nethaji Road,
Madurai through its
Executive Officer,
Arulmigu Koodal Alagar Koil,
Madurai.

... Revision Petitioner/
Petitioner/Plaintiff

Vs.

Sethu Pandaram (died)

1.Ramalingam

Pappathiammal (died)

2.Chellappa

3.Karuppiah

4.A.V.karuppiah

5.Maruthaiah Pillai

T.Mani(died)

6.Nagabai Ammal

7.Mahaveer Cut Piece Centre,

180, West Masi Street,

Madurai -1, Through its proprietor

8.Sri Dhanalakshmi Enterprises,

181, Dindigul Road,

Madurai.

9.Tiruppur Cut Piece centre

183 Dindigul Road, Madurai

Through its proprietor

10.Saraswathy Stores,

184, Dindigul Road,

Madurai, Through its Proprietor,

11. TES Medicials,

184, Dindigul Road,

Madurai, Through its Proprietor,

12.Shenbgam

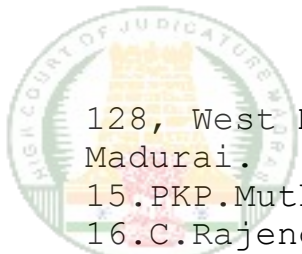
13.Muthuraja

14.Sri Meenaksi Sundareswarar Utsava,

Sarvajana Sahaya Trust,

through its Trustee,

<https://hcservices.courts.gov.in/hcservices/>



128, West Masi Street,
Madurai.
15.PKP.Muthusadayapillai
16.C.Rajendran
17.T.S.Siddhi Basheer Beevi
18.M/s.Khaliq Authomobiles
15-A, North Veli Street,
Madurai -1.
19.R.Chandra
20.R.Ramesh
21.R.Venkatesan
22.Ramalakshmi Ammal
23.V.Saraswathiammal
24.T.Govind Singh
25.Siddhi Fancy Stroes,
181, Nethaji Road,
Madurai-1.
26.Pushparaj Shaji
27.A.Lalitha Shaji
28.S.Rajalingam
29.S.Sundaralingam
30.S.Amirthalingam
31.S.Jambulingam
32.S.Kannalingam
33.S.Maheswari
34.S.Parameswari
35.S.Jegatheeswari
36.V.A.M.Kathistha Fathima
37.V.A.M. Khadar Abdul Khadar
38.V.A.M.Siddhi Habeeba
39.V.A.M.Ahamed Bukhari
40.M.Palaniammal
41.K.Revathy
42.T.M.Sivakumar
43.S.Rajeswari

... Respondents/Defendants

PRAYER: This Civil Revision Petition is filed under Article 227 of Constitution of India seeking direction to dispose of E.P.No.31 of 2007 in O.S.No.534 of 1984 on the file of I Additional Subordinate Judge, Madurai, within a time frame fixed by this Court.

For Petitioner : Mr. S. Manohar

ORDER

This Civil Revision Petition has been filed for issuing a direction to the learned I Additional Subordinate Judge, Madurai, to dispose of E.P.No.31 of 2007 in O.S.No.534 of 1984, pending on its file, within a time frame to be fixed by this Court.



2. The revision petitioner, who is the plaintiff, has filed a suit in O.S.No.584 of 1984, on the file of the learned I Additional Subordinate Judge, Madurai, for eviction and the same has been decreed. Thereafter, the petitioner has filed E.P.No.31 of 2007 for delivery of possession. The said Execution Petition is pending for the past 12 years without any progress. Therefore, the petitioner has come out with the present Civil Revision Petition.

3. In view of the Judicial Notification No.C-5 CAS/2007, Tamil Nadu (Case Flow Management in Subordinate Courts) Rules, 2007, dated 23.11.2017, based on the order passed by the Hon'ble Supreme Court in ***W.P(Civil).No. 496 of 2002, (Salem Advocates Bar Association, Tamil Nadu Vs. Union of India)***, the learned counsel contended that Execution Petition must be disposed of within a period of 12 months from the date of filing.

4. In view of the limited relief sought for by the petitioner and considering the fact that no prejudice would be caused to the respondent by ordering this petition, this Court is of the view that notice need not be sent to the respondents.

5. Considering the facts and circumstances of the case and also the submission made by the learned counsel appearing for the petitioner and the judicial Judicial Notification No.C-5 CAS/2007, Tamil Nadu (Case Flow Management in Subordinate Courts) Rules, 2007, dated 23.11.2017, this Court is inclined to issue a direction to the Court below to dispose of the said Execution Petition within a time frame.

6. Accordingly, the learned I Additional Subordinate Judge, Madurai, is hereby directed to dispose of E.P.No.31 of 2007 in O.S.No.534 of 1984 pending on its file as expeditiously as possible, in any event, not later than three months from the date of receipt of a copy of this order.

7. This Civil Revision petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)



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The I Additional Subordinate Judge, Madurai.

+1 CC to M/s.S.MANOHAR, Advocate (SR-93447[F] dated 22/10/2019)

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18.10.2019

KM/ (04.11.2019) 4P 3C