



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **25.11.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

CRP(MD)No.2140 of 2019

WEB COPY

A.S.Srinivasan ... Petitioner/Petitioner/Plaintiff

-versus-

Vivekanandha Nursery and Primary School,
Rep. by its Correspondent/Administrator,
K.Swami Venkata Maheswaran,
No.4/16, Pandhanallur Sivan Keela Veethi,
Pandhanallur,
Thiruvidaimarudhur Taluk,
Thanjavur District. ... Respondent/Respondent/Defendant

Civil Revision Petition filed under Article 227 of Constitution of India, seeking a direction to the learned District Munsif cum Judicial Magistrate, Thiruvidaimarudhur to dispose of the Execution Petition in E.P.No.37 of 2019 in O.S.No.335 of 2015 within the stipulated time.

For Petitioner : M/s.S.I.Muthiah

ORDER

This Civil Revision Petition has been filed seeking a direction to the learned District Munsif cum Judicial Magistrate, Thiruvidaimarudhur to dispose of the Execution Petition in E.P.No.37 of 2019 in O.S.No.335 of 2015 within the stipulated time.

2. The learned counsel appearing for the revision petitioner submitted that he filed a suit in O.S.No.335 of 2015 on the file of the District Munsif Court, Kumbakonam, against the respondent herein for recovery of possession of the suit property. By Judgment and Decree dated 26.02.2016, the suit was decreed in favour of the revision petitioner herein, wherein, there was a direction to the respondent to hand over the possession of the property within a period of three months. Since the respondent has not complied with the same, the revision petitioner herein filed E.P.No.13 of 2018 before the District Munsif, Kumbakonam, which ordered delivery of possession of the suit property, but, the same was not given effect. Now, it is the grievance of the revision petitioner that the respondent herein has been inducing the third parties to file applications one after another in order to drag on the execution



proceedings. Now, the execution petition in E.P.No.13 of 2013 was transferred to the Court below and renumbered as E.P.No.37 of 2019, wherein, the respondent herein is also getting adjournment from time to time. Hence, the present petition has been filed seeking a direction for early disposal.

WEB COPY

3. Considering the facts and circumstances of the case, this Court directs the learned District Munsif cum Judicial Magistrate, Thiruvidaimarudhur, to dispose of E.P.No.37 of 2019 in O.S.No.335 of 2015, within a period of four months from the date of receipt of a copy of this order, without granting any further adjournment.

4. With the above direction, the present Civil Revision Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

/ True Copy /

Sub Assistant Registrar (CS-I)

To
The District Munsif
cum Judicial Magistrate,
Thiruvidaimarudhur.

+1 CC to M/s.S.I.MUTHIAH, Advocate (SR-101243[F] dated 26/11/2019)

CRP (MD) No.2140 of 2019
25.11.2019

ogy
ES/27.11.2019/2P/3C