

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2020

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

C.R.P.NPD.No.382 of 2020

B. Kalyan Kumar ... Petitioner

/vs/

M. Sathya ... Respondent

Prayer :- This petition has been filed under Article 227 of the Constitution of India to issue a direction to dispose of the E.P.No.54 of 2016 in O.S.No.211 of 2014 on the file of the Subordinate Court, Poonamallee.

For petitioner : Mrs. S.Bhargavi

ORDER

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This Civil Revision Petition has been filed seeking a direction to dispose the E.P.No.54 of 2016 in O.S.No.211 of 2014 pending on the file of Subordinate Court, Poonamallee.

2. In view of the order being passed in the revision petition, notice to the respondent is dispensed with.

3. According to the petitioner, he filed the suit in O.S.No.211 of 2014 on the file of the Subordinate Court, Poonamalee . Earlier on 04.11.2015, an exparte decree has been passed in the suit. Subsequently, he filed an Execution Petition in the year 2016 and exparte order has also been passed in the Execution Petition. Thereafter, the respondent/Judgment debtor filed applications in E.A.Nos.23 and 24 of 2019 to set-aside the exparte decree along with condone delay petition. But, so far that applications have not been disposed of . Hence, the present revision has been filed.

4. Considering the limited prayer sought in the revision, even though the petitioner sought for direction to dispose the E.P.No.24 of 2016, as already an exparte order has been passed in the execution petition, now the petition to set aside the exparte order is pending, this Court is inclined to direct the Execution Court to dispose the E.A.Nos.23 and 24 of 2019 within a period of six weeks from the date of receipt of a copy of this

order, after giving opportunity to both the parties, on merits and in accordance with law.

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

mrp

Index : Yes/No

Internet : Yes/No

Speaking order/non speaking order

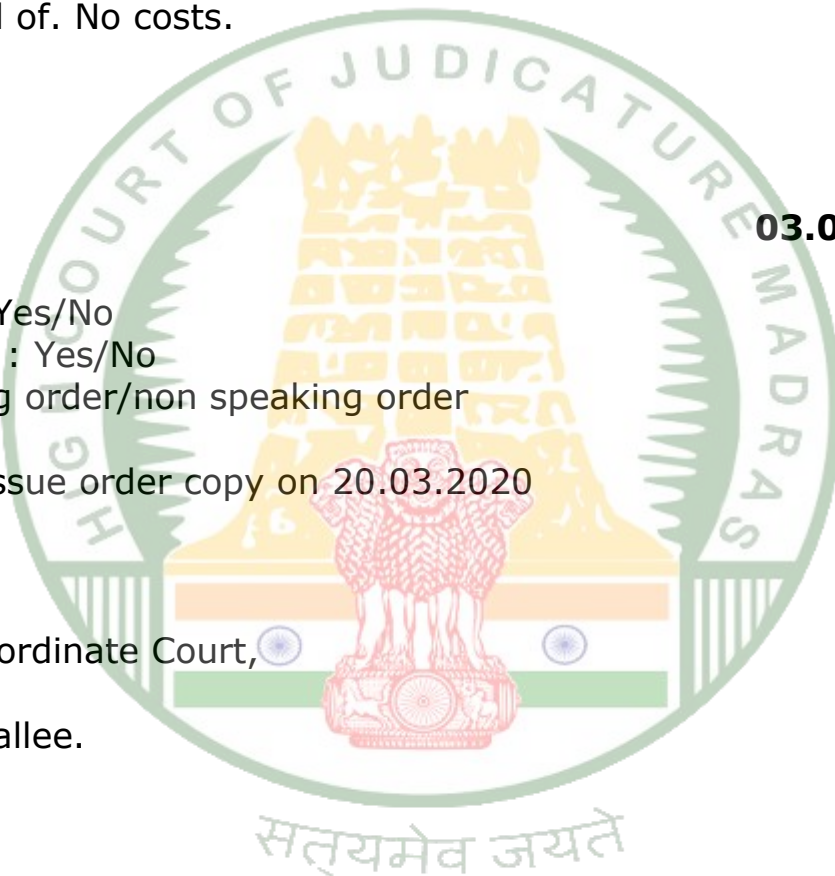
Note : Issue order copy on 20.03.2020

To

The Subordinate Court,

Poonamallee.

03.02.2020



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V.BHARATHIDASAN, J.,

mrp



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