



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 07.12.2020

CORAM :

THE HONOURABLE MR.JUSTICE **N.SESHASAYEE**

C.R.P (MD) No.966 of 2020

and

C.M.P. (MD) No.6378 of 2020

Marimuthu ...Petitioner/Appellant/Petitioner/
Objector/3rd party/3rd party
Vs.

1.J.Ramanathan
2.J.Muthusubramanian ... Respondents 1 & 2 /Respondents 1&2/
Respondents 1&2/Respondents 1&2/
Petitioners /Planitiffs

S.Kannappan @ Kannan (Died)

3.S.Vasanthi
4.S.Vaishnavi ...Respondents 3&4/Respondents 3&5/
Respondents 3 to 5/Respondents 3 to 5/
Respondents 1 to 3/ Lrs of Defendant

PRAYER: The Civil Revision Petition is filed under Article 227 of the Constitution of India, against the fair and decreetal order dated 26.08.2020 made in C.M.A.No.6 of 2018 on the file of the Additional District and Sessions Judge, Sivagangai confirming the fair and decreetal order dated 20.11.2017 made in E.A.No.99 of 2017 in E.A.No.87 of 2015 in E.P.No.19 of 2015 in O.S.No.23 of 2005 on the file of the learned Subordinate Judge, Devakottai.

For Petitioner : Mr.V.Raghavachari
for Mr J.Anandkumar
For Respondents : Mr.H.Lakshmishankar
for B.Muruganandam

O R D E R

This revision is filed challenging the order made in C.M.A.No.6 of 2018 on the file of the Additional District and Sessions Judge, Sivagangai confirming the fair and decreetal order dated 20.11.2017 made in E.A.No.99 of 2017 in E.A.No.87 of 2015 in E.P.No.19 of 2015 in O.S.No.23 of 2005 on the file of the Sub Court, Devakottai.

2. This Court infers as third petition for restoration of an application of the revision petitioner to record his obstruction and to decide his title over the suit property viz-a-viz the title of the decree holder.

3. The learned counsel for the respondent made a statement that the revision petitioner has evolved the strategy to delay the execution



of the decree and literally has made it both on art and science in doing it. He also brought to the notice of this Court that other connected civil revision petitions are pending in C.R.P.(MD)Nos.1756 of 2017 and 1076 of 2018, wherein the same revision petitioner has moved the execution Court to appoint a Commission and for some other relief in support of her petition for obstruction, which were dismissed by the execution Court.

4. The learned counsel for the revision petitioner submitted that he would move the Registry for withdrawing CRP(MD)Nos.1756 of 2017 and 1076 of 2018. The said statement is recorded.

5. The learned counsel for the respondent also submitted that there is a set of other execution applications filed by some other parties, which is also likely to obstruct the execution proceedings.

6. In view of the above, this Court directs the Execution Court to dispose of the present petition and take up all other pending execution applications simultaneously and dispose them all latest by 28.02.2021.

7. The learned counsel for the petitioner made a statement that the revision petitioner would lend her utmost co-operation for the disposal of the petition within the stipulated time.

8. In conclusion, this Civil Revision Petition is disposed of on payment of cost of Rs.10,000/- (Rupees Ten Thousand only) to the learned counsel appearing for the respondent before the trial Court. No costs. Post the matter on 17.12.2020 for reporting compliance. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

The Subordinate Judge,
Devakottai

Copy To:-The Section Officer, Judicial Section (Posting),
Madurai Bench of Madras High Court, Madurai.

(For Reporting Compliance on 17/12/2020)

+1 CC to M/s.B.MURUGANANDAM, Advocate (SR-24336[F] dated 08/12/2020)

C.R.P (MD) No.966 of 2020

07.12.2020

NS (CO)

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