

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 25.03.2021

CORAM:

THE HONOURABLE MRS. JUSTICE **V.BHAVANI SUBBAROYAN**

C.R.P.(NPD) No.664 of 2021

N.Senthil Kumar

...Petitioner

Vs

A.Mansoor Ahmed

...Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to dispose the Execution Petition No.06 of 2019 in RCOP.No.1 of 2018 pending on the file of the District Munsif Court, Palladam within a time frame.

For Petitioner : Mr.B.Ramamoorthy

ORDER

The prayer sought for in the present revision petition is to direct the learned District Munsif, Palladam to dispose of the Execution Petition No.06 of 2019 in RCOP.No.1 of 2018 within a stipulated time.

2. The learned counsel for the petitioner submitted that the petitioner herein had sent a legal notice calling upon the respondent herein to pay the balance advance amount. The learned counsel further submitted that a suit in O.S.No.60 of 2013, has been filed by the respondent seeking for permanent injunction restraining the petitioner from interfering with his possession, which according to the petitioner is nothing but a false allegation in order to evade from paying the advance amount. Further, it is submitted that R.C.O.P.No.1 of 2018, which was filed by the petitioner to evict the respondent, was decreed in favour of the petitioner. Thereafter, E.P.No.126 of 2019 was filed to execute the decreetal order. It is further contended that the said execution petition has been kept pending from the year 2019 and has been adjourned for enquiry on several occasions. Hence, the learned counsel would pray this Court to issue a direction to the learned trial Judge to dispose of the said petition within a time frame.

3. Heard the learned counsel for the petitioner and perused the materials available on record.

4. It is seen that the dispute between the petitioner and the respondent is a landlord tenant dispute. On perusal of the adjudication orders, the above execution petition has been filed in the year 2019 and though the counter has been filed by the respondent on 20.11.2019, the matter has been repeatedly adjourned on many occasions for respondent side enquiry.

5. Hence, there shall be a direction to the learned District Munsif, Palladam, to consider the case of the landlord and to hear the respondent on a day to day basis and dispose of the both, i.e., E.P.No.06 of 2019 and RCOP.No.1 of 2018, within a period of six months from the date of receipt of copy of this order.

6. Accordingly, the civil revision petition stands disposed of. No costs.

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Index: Yes/No
Speaking order/Non Speaking order
sbn

V.BHAVANI SUBBAROYAN, J.

sbn

To

The District Munsiff Court,
Palladam



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