IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

C.R.P. (PD) No.1667 of 2021

R.Baskar	...	Petitioner / Plaintiff

versus

1.P.Jaya (died) 2.T.Paramasivam 3.Karthigasivam 4.Manjupriya 5.P.Raja Rajeswari	...	Respondents / Defendants

(cause title accepted vide order dated 05.08.2021 made in C.M.P.No.11861 of 2021 in C.R.P.SR.No.54629 of 2021)

PRAYER: Civil Revision Petition has been filed under Article 227 of the Constitution of India, to direct the learned II Additional District Judge, Salem, to dispose the R.E.P. No.48 of 2019 in O.S. No.168 of 2017 within the time fixed by this Court.

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For Petitioner : Mr.S.T.Raja

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O R D E R

This Civil Revision Petition is filed seeking direction to the learned II Additional District Judge, Salem, to dispose of R.E.P. No.48 of 2019 in O.S. No.168 of 2017, within a time frame to be stipulated by this Court.

2. The learned counsel for the petitioner submitted that, O.S.No.168 of 2017 was filed for the relief of specific performance and the suit was decreed on 25.06.2018, after the contest. There is no appeal against the said judgment and decree and it has become final. The present R.E.P. is filed for directing the judgment debtor to execute the Sale Deed in terms of the decree. Pending the Execution Petition, the judgment debtor died and the petition to implead the legal representatives, is pending. The respondents are unnecessarily protracting the proceedings, therefore, this petition.

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3. It is seen that the suit was decreed after the contest and there is no appeal filed against the judgment and decree passed in

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O.S.No.168 of 2017. The Execution Petition is pending from the year 2019 and therefore, the learned II Additional District Judge, Salem, is directed to dispose of R.E.P. No.48 of 2019 in O.S. No.168 of 2017, as expeditiously as possible, preferably, within a period of four (4) months from the date of receipt of a copy of this order.

4. Accordingly, this Civil Revision Petition is disposed of. However, there is no order as to costs.

18.08.2021

Speaking order / Non-speaking order
Index : Yes / No

sri

To

The II Additional District Judge, Salem.

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G.CHANDRASEKHARAN, J.

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HIGH COURT OF JUDICATURE MADRAS
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