



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 29.04.2021
CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR
C.R.P (MD).No.751 of 2021

WEB COPY

Hasarath Syed Sha Mian Saqqaf Sakka Kadheri Thaikkal
Wakf rep. by its Junior Trustee Syed Vajeehun Naqi Saqqaf,
residing at No.657, Thakkal Lane,
Kondirajapalayam, East Main Street,
Thanjavur Town and Munsif. : Petitioners / defendants

Vs.

S.M.A. Farook(died)
1.F. Fathima Gani
2.S.M.A. Hassina John
3.S.M.A. Nazira Banu : Respondents/ Judgment Debtors

PRAYER:- Civil Revision Petition filed under Article 227 of the Constitution of India to direct the Principal Sub Court - cum - Wakf Board Tribunal, Thanjavur District, to dispose of the petition in E.P.No. 29 of 2012 in W.O.P.No. 11 of 1999 within the time fixed by this Court.

For petitioner : Mr.A. Senthilkumar

ORDER

This revision has been filed seeking a direction to dispose of the E.P.No. 29 of 2012 in W.O.P.No. 11 of 1999 on the file of the Principal Sub Court - cum - Wakf Board Tribunal, Thanjavur District, within the specified time fixed by this Court.

2. It is evident from the records that the revision petitioner has filed W.O.P.No. 11 of 1999 for eviction and after trial, the same was decreed on 25.10.2006 and that thereafter, the decree holder has filed an Execution Petition in E.P.No. 29 of 2012 for delivery.

3. The learned counsel appearing for the petitioner would submit that after filing of the W.O.P, the respondent had died and hence, his legal heirs had been impleaded as the respondents. Though the case was decreed on 25.10.2006, the decree holders are still unable to enjoy the fruits of the decree.

4. The High Court has already sent Circulars directing the Courts to give priority for the disposal of old cases, more particularly, more than five years old cases.



5. Considering the fact that W.O.P. is of the year 1999 and the Execution Petition has been laid in the year 2012 in E.P.No. 29 of 2012, this Court is of the view that necessary direction is to be issued to the Executing Court, for early disposal. Accordingly, the Principal Sub Court - cum - Wakf Board Tribunal, Thanjavur District, is hereby directed to dispose of the E.P.No.29 of 2012 pending on its file, within a period of three months from the date of receipt of a copy of this order, on merits and in accordance with law.

6. With the above direction, this Civil Revision Petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

trp

To

The Principal Sub Court - cum - Wakf Board Tribunal,
Thanjavur District.

C.R.P (MD) .No.751 of 2021

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