



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Cont.P(MD)No.1343 of 2021

in

A.S.No.9 of 2013

in

O.S.No.127 of 2011

and

Sub.Aplc(MD)No.276 of 2021

1.G.Rajeshwari

2.S.Govindaraj ... Petitioners/Respondents 1 & 2/ Defendants 1 & 2

Vs.

1.S.Srinivasan ... 1st Contemnor/Appellant/Plaintiff

2.S.Sundaraj ... 2nd Contemnor/3rd Respondent/3rd Defendant

Prayer: Petition filed under Section 10 of the Contempt of Courts Act, 1971, to punish the respondents herein for their acts of contempt committed by them by willfully disobeying the Judgment and Decree dated 31.01.2013 in O.S.No.12 of 2010 and counter claim in O.S.No.127 of 2011 on the file of the District Munsif Court, Periyakulam confirmed by Judgment and Decree dated 12.12.2017 in A.S.No.9 of 2013 passed by the learned Sub Judge, Periyakulam.

For Petitioner : Mr.N.Dilip Kumar

ORDER

(Order of the Court was made by **M.DURAI SWAMY, J.**)

Mr.N.Dilip Kumar, learned counsel appearing for the petitioner seeks permission of this Court to withdraw the Contempt Petition with liberty to prosecute the Execution Petition in E.P.No.3 of 2021 pending on the file of the District Munsif Court, Periyakulam and he has also made an endorsement to that effect.

2.Further, the learned counsel appearing for the petitioner submitted that a direction may be given to the Executing Court to dispose of the Execution Petition within a time frame.

3.Having regard to the submissions made by the learned counsel for the petitioner, the Contempt Petition is dismissed as withdrawn. The learned District Munsif, Periyakulam is directed to dispose of the Execution Petition in E.P.No.3 of 2021 on merits and in



accordance with law within a period of four months from the date of receipt of a copy of this order. No costs. Consequently, connected Sub Application is closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

indu/ps

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The District Munsif,
Periyakulam.

2.The Sub-Judge,
Periyakulam.

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-31707[F] dated 08/10/2021)

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and**

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VR(CO)/RS (22.10.2021) 2P 4C