



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2021

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (MD) No.1105 of 2020

Sumathi

... Petitioner/Petitioner/
Petitioner/Plaintiff

-Vs-

Ramaraj

...Respondent/Respondent/
Respondent/Defendant

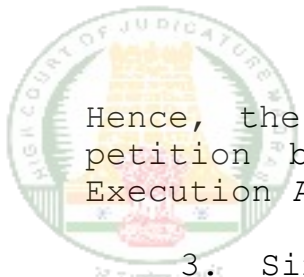
Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the learned Subordinate Judge, Uthmapalayam to dispose the case in E.A.No.99 of 2019 in E.P.No.181 of 2016 in O.S.No.115 of 2014, on the file of the Subordinate Court, Uthamapalayam in a time bound manner as fixed by this Court.

For Petitioner : Mr.D.Senthil

O R D E R

This Civil Revision Petition has been filed seeking a direction to the learned Subordinate Judge, Uthamapalayam, to dispose the case in E.A.No.99 of 2019 in E.P.No.181 of 2016 in O.S.No.115 of 2014, on the file of the Subordinate Court, Uthamapalayam, within the time stipulated by this Court.

2. The learned counsel for the revision petitioner would submit that the revision petitioner has filed a suit in O.S.No.115 of 2014 on the file of the Subordinate Court, Uthamapalayam, for the relief of specific performance, regarding the suit schedule property and the said suit was decreed on 12.11.2014. Since, no appeal was filed by the respondent, the judgment and decree made in O.S.No.115 of 2014 became final. Thereafter, the petitioner has filed the Execution Petition in E.P.No.181 of 2016 in O.S.No.115 of 2014 and the said Execution Petition was also allowed. Even though, the sale deed in respect of suit schedule property was executed by the Court below, the property was not delivered to the petitioner. Hence, the petitioner has filed Execution Application in E.A.No.99 of 2019 in E.P.No.181 of 2016 in O.S.No.115 of 2014, for delivery of the suit schedule property. The grievance of the petitioner is that, the learned Judge is adjourning the case without any reasonable cause.



Hence, the petitioner is constrained to move the present revision petition before this Court for getting speedy disposal of the Execution Application in E.A.No.99 of 2019.

3. Since this Civil Revision Petition is filed for early disposal of the execution application, no notice is necessary to the respondent herein.

4. Considering the facts and circumstances of the case, this Court feels that ends of justice would be met by directing the Court below to dispose the execution application within a time frame. Without advertent to the merits of the case, a direction is issued to the learned I learned Subordinate Judge, Uthamapalayam, to dispose the execution petition in E.A.No.99 of 2019 in E.P.No.181 of 2016 in O.S.No.115 of 2014, on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar()

//True copy//

/ /2021
Sub Assistant Registrar

To

1. The Subordinate Judge,
Uthamapalayam,
Theni District.
2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CRP (MD) No.1105 of 2020
04.01.2021

PKN
SRS/18.01.2021/2P/3C