



C.R.P(NPD)No.3070 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2022

CORAM :
THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Civil Revision Petition (NPD) No.3070 of 2015

Bhoomathi

... Petitioner

Vs.

1. Savithri

2. M.Kaliannan

3. Nachiappan

4. Palanisamy

... Respondents

This Civil Revision Petition filed under Article 227 of Constitution of India, praying to direct the Principal Subordinate Judge's Court at Gobichettipalayam to dispose of the Suit in E.A.No.545 of 2002 in E.P.No.23 of 2000 in O.S.No.22 of 1982 at an early date.

For Petitioner : Mr.P.Valliappan

For Respondent 1 : Mrs.P.T.Ramadevi

For Respondent 2 : Mr.R.T.Doraisamy



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ORDER

This Civil Revision Petition has been filed, seeking a direction for expeditious disposal of the Application in E.A.No.545 of 2002 in E.P.No.23 of 2000 in O.S.No.22 of 1982 on the file of the Principal Subordinate Judge's Court at Gobichettipalayam.

2. The facts of the case in a nutshell are as follows:

(i) The revision petitioner filed the Execution Petition E.P.No.23 of 2000 in O.S.No.22 of 1982 to attach the property belonging to the first respondent/seventh defendant viz., Savithri and to auction the same under Order 21 Rule 97 r/w Section 151 of C.P.C.

(ii) Then, a sale certificate dated 04.10.2002 was issued by the Principal Subordinate Judge of Gobichettipalayam to Tmt.Muniyammal wife of late Ranganathan, Punjaiduraiyampalayam, Gobi Taluk, Erode District and declared her as the auction purchaser of the schedule mentioned property for a sum of Rs.60,100/- (Rupees sixty thousand one hundred only) at the public auction on 11.06.2002 in execution of the above decree in this suit and sale



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has been confirmed on the 12.09.2002.

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(iii) The E.A.No.545 of 2002 in E.P.No.23 of 2000 in O.S.No.22 of 1982 was filed on 14.11.2002 by Muniyammal (deceased), Deventhiran (deceased) and Bhoomathi (revision petitioner) under Order 21 Rule 95 r/w section 151 of C.P.C., to execute the sale deed conveying the certificate property in favour of the revision petitioner and the same was not disposed of till date by the learned Subordinate Judge, Gobichettipalayam.

(iv) Subsequently, the Second Appeal in S.A.No.399 & 400 of 2013 was filed against the judgment and decree dated 04.09.2012 made in A.S.No.99 of 2011 on the file of the Principal District and Sessions Judge, Erode, confirming the judgment and decree dated 16.09.2011 made in O.S.No.178 of 2001 on the file of the Subordinate Court, Gobichettipalayam.

3. Today i.e., on 27.04.2022, when the matter was taken up for hearing, the learned counsel for the revision petitioner submitted that the prayer in the Civil Revision Petition is to direct the Principal Subordinate



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Court, Gobichettipalayam to dispose of the E.A.No.545 of 2002 in E.P.No.23 of 2000 in O.S.No.23 of 1982 at an early date.

4. In view of the above facts and circumstances of the case, the Principal Subordinate Court at Gobichettipalayam is directed to dispose of the E.A.No.545 of 2002 in E.P.No.23 of 2000 in O.S.No.22 of 1982, within a period of three months, i.e., on or before 31st August, from the date of receipt of a copy of this order.

5. In the result, this Civil Revision Petition stands allowed. No costs.

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Index : Yes/No
Speaking Order : Yes/No
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To:
The Subordinate Judge's Court,
Gobichettipalayam.



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J.SATHYA NARAYANA PRASAD,J.

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