



WEB COPY

C.R.P. (NPD) No.2555 of 2022



**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 12.08.2022**

**CORAM:**

**THE HONOURABLE MS.JUSTICE R.N.MANJULA**

**C.R.P. (NPD) No.2555 of 2022**

K.Devasankarakumar

...

Petitioner /  
Decree Holder

*versus*

1.Chokkalingam

2.N.Parasakthi

...

Respondents /  
Judgment Debtors

**PRAYER:** Civil Revision Petition has been filed under Article 227 of the Constitution of India, to direct the learned Subordinate Judge, Bhavani to dispose E.P.No.82 of 2017 in O.S.No.30 of 2016, within a short time limit as fixed by this Court.

For Petitioner : Mr.K.Karthikeyan

**ORDER**

This Civil Revision Petition has been filed seeking for a direction to the learned Subordinate Judge, Bhavani, for speedy disposal of the Execution Petition in E.P.No.82 of 2017 in O.S.No.30 of 2016.



2. The revision petitioner is the decree holder in O.S.No.30 of 2016 which was filed for the relief of recovery of money and the same was decreed. Aggrieved over that, the petitioner has filed this Civil Revision Petition.

3. The learned counsel for the revision petitioner submitted that despite the petitioner has got the decree, he could not realise the decree amount because of the long pendency of the execution proceedings. He further submitted that the execution petition is pending without any progress and hence, in the interest of justice, a direction should be given for speedy disposal.

4. On perusal of the E-Court status of the case furnished by the learned counsel for the petitioner, it appears that the matter stood posted for paying batta from 05.01.2021 to 21.06.2022; previously the matter stood for proclamation for 9 hearings. Unless the petitioner pays batta in time, he cannot expect any progress in the case. In fact, for non-payment of the batta, the learned Execution Judge ought to have been dismissed the petition for default. In such circumstances, I do not feel that the matter needs any further



direction except to impress the learned Executing Judge to pass appropriate orders at the earliest.

**5.** In the result, this Civil Revision Petition is disposed of.

No costs.

**12.08.2022**

Speaking order / Non-speaking order

Index : Yes / No

Internet : Yes

sri

To

The Subordinate Judge, Bhavani.



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**R.N.MANJULA, J.**

sri

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