



C.R.P(PD).No.2466 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2022

CORAM :

THE HONOURABLE MS. JUSTICE R.N.MANJULA

C.R.P.(PD).No.2466 of 2022

1.Venkatesan
2.Prabakaran

... Petitioners

..Vs..

1.Shanthi
2.Tirupathi
Karisdhan (died)
3.Umapathi
4.Gundan
5.Kanurasu
6.Govindammal
7.Sampath

...Respondents

Prayer:- Civil Revision Petition is filed under Article 227 of Constitution of India, seeking for a direction to the Additional District Munsif Court, Tirupattur, Vellore District to dispose of the REP.No.139 of 2015 in O.S.No.245 of 2008 by executing it with in the time frame as stipulated by this Court.



C.R.P(PD).No.2466 of 2022

WEB COPY

For Petitioners : Mr.Pa.Sudesh Kumar

ORDER

This Civil Revision Petition has been preferred seeking direction for early disposal of the REP.No.139 of 2015 in O.S.No.245 of 2008 pending on the file of the Additional District Munsif Court, Tirupattur, Vellore District.

2.The petitioners are the decree holders in the said suit. The petitioners/plaintiffs have filed the suit for the relief of declaration and recovery of possession, which was decreed in favour of the plaintiffs. Despite the decree was obtained in the year 2015 and the execution petition has also been filed in the same year, the execution proceedings are still pending without disposal.

3.On perusal of the e-Court case status, it is seen that the matter has been adjourned to several hearing without any valid reasons. It is



C.R.P(PD).No.2466 of 2022

understandable that no order can be passed when the matter was pending for mediation or before the Lok Adalat. But it is seen that those proceedings were also over and thereafter, the matter has reached the stage of enquiry from 07.10.2021. Subsequently, enquiry was also over and the matter stood posted for orders on 22.12.2021. From then onwards, the orders were not pronounced and the matter has been adjourned atleast for six hearings. All of a sudden, the matter has been posted for further proceedings.

4. When the matter is once posted for orders, the Court has to pronounce orders on the same day itself, unless the order is not ready or the matter is *suo motu* reopened for any clarification. The proceedings would show that the case has been simply adjourned under the same caption for 'orders' for several hearings, which cannot be viewed lightly. The learned Executing Judge has not dealt the case in a manner it ought to have been. Taking into consideration of the hardship of the parties to the proceedings and the risk in which the learned Judge subjecting



C.R.P(PD).No.2466 of 2022

himself, I feel it is appropriate to impress the learned Executing Judge to dispose the proceedings as expeditiously as possible.

5.In view of the above, this Civil Revision Petition is disposed of and the learned Additional District Munsif, Tirupattur, Vellore District is directed to dispose REP.No.139 of 2015 in O.S.No.245 of 2008 as expeditiously as possible, preferably within a period of two weeks from the date of receipt of the copy of this order. No costs.

05.08.2022

vkf

Index:Yes No

Speaking Order:Yes/No

To

1.The IV Additional Judge, Family Court, Chennai.

2.The Section Officer,
VR Section, Madras High Court,
Chennai.

4/5



WEB COPY



C.R.P(PD).No.2466 of 2022

R.N.MANJULA,J.

Vkr

C.R.P.(PD).No.2466 of 2022

05.08.2022