



C.R.P.No.3939 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.3939 of 2022

G.Raja

... Petitioner

VS

1.G.Kothandan

2.K.Jayanthi

3.G.Dilipkumar

4.P.Padma

5.Pushpalatha

... Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to fix a time for the disposal of the docket order of I.A.No.1 of 2019 in O.S.No.85 of 2011 pending on the file of the learned IInd Additional District Judge, Thiruvallur at Poonamallee.

For Petitioner : Mr.V.Lakshminarayan

ORDER

The Civil Revision Petition is filed seeking early disposal of I.A.No.1 of 2019 in O.S.No.85 of 2011 on the file of the learned II Additional District Judge, Thiruvallur at Poonamallee.

2. Having regard to the limited prayer made in this revision, this Court is



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inclined to dispose the civil revision petition, even without notice to the respondents.

3. The petitioner herein is the plaintiff in the suit for specific performance and he obtained decree for specific performance and the same was confirmed by this Court and Special Leave Petitions preferred by the 1st and 2nd respondents were dismissed.

4. The present petition in I.A.No.1 of 2019 has been filed by the revision petitioner seeking a direction to issue cheque for a sum of Rs.5,19,935/- in favour of the petitioner and the said amount was deposited by the 1st respondent towards cost of the suit. It is stated that the said petition is kept pending from the year 2019.

5. The perusal of the e-court entry filed in the typed-set of papers would suggest that the respondents 1, 2, 4 were already served in I.A.No.1 of 2019 and the respondents 3 and 5 were not served. In fact, on 10.11.2022, the Court below ordered to issue paper publication for the 5th respondent.



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WEB COPY 6. Having regard to the fact that I.A.No.1 of 2019 is filed for withdrawal of the cost deposited by the 1st respondent and the petition is of the year 2019, this Court is inclined to issue a direction to the learned II Additional District Judge, Thiruvallur at Poonamallee to dispose of I.A.No.1 of 2019 as expeditiously as possible preferably within a period of three months from the date of receipt of a copy of this order.

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

29.11.2022
(1/2)

Index : Yes / No
Speaking Order : Yes / No
dm

To

The IInd Additional District Judge,
Thiruvallur at Poonamallee.



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S.SOUNTHAR, J.

dm

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