



WEB COPY



C.R.P.No.3941 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.3941 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 in E.P.No.73 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



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ORDER

The Civil Revision Petition is filed seeking early disposal of E.P.No.73 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 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 has been confirmed by this Court and Special Leave Petitions preferred by the contesting respondents also dismissed.

4. The petitioner herein filed execution petition in E.P.No.73 of 2019 seeking an order of delivery of the schedule mentioned property to the decree holder.



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5. It is also pertinent to mention that this Court by an order dated 23.11.2020 in C.R.P.(PD).No.2030 of 2020 directed the Execution Court to complete the execution proceedings, within a period of eight weeks from the date of receipt of a copy of the order.

6. It is brought to notice of this Court by the learned counsel for the petitioner that inspite of earlier direction by this Court, the execution petition is kept pending even till today. It is also pertinent to mention that the Hon'ble Apex Court in ***Rahul S.Shah vs. Jinendra Kumar Gandhi*** reported in ***MANU/SC/0333/2021 = (2021) 6 SCC 418***, the execution petition shall be disposed within the outer time limit of six months.

7. In the case on hand, the execution proceedings is of the year 2019 and inspite of the direction issued by this Court, the same is kept pending. Therefore, this Court is inclined to issue direction to the Execution Court to dispose of E.P.No.73 of 2019 as expeditiously as possible in any case within the outer time limit of eight weeks from the date of receipt of a copy of this order.



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S.SOUNTHAR, J.

dm

8. With the above direction, the Civil Revision Petition is disposed of.

No costs.

29.11.2022
(2/2)

Index : Yes / No

Speaking Order : Yes / No

dm

To

The IInd Additional District Judge,
Thiruvallur at Poonamallee.

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