



CRP.No.4036 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

CRP.No.4036 of 2022

T.H.Tajuddin

... Petitioner

Vs.

T.Safi Mohammed (died)

1.Alima Bi

Abeedin (died)

2.Zarina Bi

3.Mohammed Rafi

4.Zakira Bi

5.Asmath Ali

Jaithun (Died)

6.Nazar

7.Tajunnisa

8.Nizamuddin

9.Rajina Begum

10.Yasmin

... Respondents



CRP.No.4036 of 2022

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the learned District Munsif-cum-Judicial Magistrate, Sriperumbudur, to dispose of the E.P.No.3 of 2019 in O.S.No.1545 of 2008, within the time to be stipulated by this Court.

For Petitioner : Mr.R.Bharath Kumar

ORDER

This Civil Revision Petition is filed, seeking a direction to the learned District Munsif-Cum-Judicial Magistrate, Sriperumbudur, to dispose of the execution petition in E.P.No.3 of 2019 in O.S.No.1545 of 2008 within a stipulated time fixed by this Court.

2. Having regard to the limited prayer made in this revision, this Court is inclined to dispose of the revision, even without notice to the respondents.



CRP.No.4036 of 2022

WEB COPY

3. The petitioner herein filed a suit for partition against the respondents and the preliminary decree was said to have been passed in the year 2016 and the final decree is also said to have been passed in the year 2018. Thereafter, the petitioner filed an execution petition seeking delivery of property allotted to him in final decree.

4. The perusal of the adjudication sheet filed in the typed set of papers would suggest that the execution petition has been adjourned from time to time from January 2021 onwards, for filing counter by the respondents, without any substantial progress.

5. In view of the law laid down by the Hon'ble Apex Court in ***Rahul.S Shah Vs. Jitender Kumar***, reported in ***2021 6 SCC 418***, the execution petition shall be disposed of within a period of six months. Therefore, I am inclined to direct the District Munsif-Cum-Judicial Magistrate, Sriperumbudur, to dispose of EP.No.3 of 2019 within a



CRP.No.4036 of 2022

period of six months from the date of receipt of a copy of this order.

WEB COPY

S.SOUNTHAR , J.

dna

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

02.12.2022

Index : Yes / No

Internet : Yes / No

dna

To

The District Munsif-cum-Judicial Magistrate,
Sriperumbudur.

CRP.No.4036 of 2022