



CRP(MD)No.448 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Wednesday, the Thirty First day of January Two Thousand Twenty Four

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRP(MD)No.448 of 2017

Mohandas

... Revision Petitioner/ Petitioner/Plaintiff

..versus..

1. Omana
2. Anisha
3. Anish
4. Arun
5. The Assistant Director of Tamil Nadu
Khadi and Village Industries,
Nagercoil.
6. The Director,
Director of Tamil Nadu Khadi and
Village Industries,
Chennai.

... Respondents

Civil Revision Petition filed under Section 115 of C.P.C. against the order dated 22.04.2014 made in E.P.No.107 of 2007 in O.S.No.110 of 2000 on the file of the learned Subordinate Judge, Kuzhithurai.

ORDER:- This Civil Revision Petition is coming on for orders on this day under the caption "Extension of time " and upon perusing earlier orders of this Court dated 13.07.2022 and 13.07.2023 and the requisition letter submitted by the Subordinate Judge, Kuzhithurai in D.No.17/2024 dated 04.01.2024 through the Principal District Judge, Kanyakumari at Nagercoil in D.NO.248/2024-A, dated

<https://www.mhc.tn.gov.in/judis>



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06.01.2024, seeking further extension of three months time to dispose the case in E.P.No.107/2007 in O.S.No.110/2000 on the file of the Sub Court, Kuzhithurai, this Court made the following order:-

This matter is listed today under the caption for extension of time.

2. It is seen from the records that this Court vide order, dated 13.07.2022, directed the Executing Court to dispose of the execution petition afresh, by taking appropriate action for disposing the properties of the respondents 1 to 4 within a period of six months from the date of receipt of copy of that order. Subsequently, at request of the learned Subordinate Judge, Kuzhithurai, three months time was granted vide order dated 13.07.2023. Now, the learned Subordinate Judge, Kuzhithurai, has submitted a requisition, dated 04.01.2024 through the Principal District Judge, Kanniyakumari at Nagercoil, seeking three months further time stating that there are more than 2800 cases are pending.

3. Even in the requisition letter from the learned Subordinate Judge, it is evident that the execution petition was pending for orders from 27.01.2023.

4. The learned counsel appearing for the revision petitioner, on instructions, would submit that the Executing Court has not even passed the initial order as to whether the property is to be attached or not.



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5. Hence, the learned Subordinate Judge, Kuzhithurai, is directed to pass orders in the execution petition within a period of 15 days from today. Registry is directed to call for explanation in this regard.

Sd/-

Assistant Registrar(CS II)

// True Copy //

/02/2024

Sub Assistant Registrar
(CS - I/ II / III /IV)

TO

The Subordinate Judge, Kuzhithurai.

Copy to:

- 1) The Registrar Judicial,
Madurai Bench of Madras High Court, Madurai
- 2) The Principal District Judge,
Kanyakumari at Nagercoil.
- 3) The Section Offier,
"B" Section,
Madurai Bench of Madras High Court, Madurai.
(for call for explanation)



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ORDER DATED : 31/01/2024

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ORDER

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Giving direction and etc.
as stated within.

MK/05.02.2024 4P 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023