



C.R.P. No. 778 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2023

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

C.R.P.No. 778 of 2023

Balakrishnan
S/o. Kempiah Chettiar

... Petitioner

Vs

R.Mathivanan,
S/o. Late Ramasamy

... Respondent

PRAYER : Civil Revision Petition filed under Art. 227 of Constitution of India, praying to direct the Hon'ble District Munsif, Mettupalayam to dispose of E.P. No. 16 of 2021 in RLTOP No.5 of 2020 within the time frame to be fixed by this Hon'ble Court.

For Petitioner : Mr.N.Ponraj



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ORDER

Today, when the matter taken up for hearing, Mr.N.Ponraj, learned counsel for petitioner submitted a daily status of petition, which would clearly reveals that the concerned court is vacant. But, on seeing the facts, the Decree Holder/landlord, who is aged about 65 years, has filed a petition in RLTOP No.5 of 2020 and for the past 3 years, he is not able to enjoy the fruits of the decree. Furthermore, the respondent also remains exparte in the RLTOP proceedings, but the Revision Petitioner appeared through his counsel in the execution proceedings in E.P. No.16 of 2021 and also filed his objections, but till date, the matter was not taken for enquiry by the execution court.

2. As the relief claimed by the Revision Petitioner only seeking for a direction to speedy disposal, the notice to the respondent is dispensed with.

3. On seeing the facts and on perusal of records, it would reveals that as it is a simple decree of eviction, it can be decided by the officer, who is incharge of that court, and also on considering the age of the petitioner, the



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officer, incharge of the executing court or additional incharge of the
executing court is directed to dispose the Execution Petition in E.P.No.16 of
2021 within a period of eight weeks from the date of receipt of copy of this
order. Accordingly, this Civil Revision Petition is disposed of on merits. No
costs.

27.03.2023

Index : Yes/No
Internet: Yes/No
Speaking/Non Speaking order
rpp

To

District Munsif,
Mettupalayam.



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T.V.THAMILSELVI, J.

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