



C.R.P.No.2074 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

C.R.P.No.2074 of 2019

Mr.K.G.Gnanaoli

... Petitioner/Legal heirs of
the Decree holders/Petitioner

Vs.

1. Murugan

2. G.Jayakumari

...Judgement Debtors/Respondents

Prayer : Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the Additional District Judge II, Kanchipuram to complete the execution proceedings in EP No.48 of 2017 within 3 months or the time stipulated by this Court.

For Petitioner : Mr.S.Deepika



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ORDER

This Civil Revision Petition has been filed for a direction to the Additional District Judge II at Kanchipuram, to dispose of EP No.48 of 2017 within a time frame.

2. The petitioner is the decree holder in the suit filed in O.S.No.423 of 2006 seeking for the relief of specific performance. Aggrieved by the same, the 1st respondent / defendant filed an Appeal in AS No.1072 of 2010. The appeal was dismissed as abated by this Court by an order dated 05.10.2017.

3. The learned counsel for the petitioner has categorically submitted that even though the learned counsel for the respondents served a copy of the petition to condone the delay, to set aside abatement and to implead the legal representatives, till date, no steps have been taken to bring the petitions for hearing and the appeal suit has not been restored till date.



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4. This Court cannot wait endlessly for the respondent to take steps and the respondent must be vigilant enough to work out their remedy. In the absence of the same, the petitioner cannot be allowed to endlessly wait even after getting a decree in his favour.

5. In view of the above, this Civil Revision petition is disposed of with a direction to the Additional District Judge II, Kanchipuram, to complete the proceedings in EP No.48 of 2017 within a period of three months from the date of receipt of a copy of this order. No costs.

12.01.2023

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
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To

The Additional District Judge II, Kanchipuram



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N. ANAND VENKATESH, J.

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