



C.R.P. No. 3402 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.09.2023

CORAM :

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN
C.R.P. No. 3402 of 2023

Lakshamma

...Petitioner

.Vs.

1. R.Rathnappa

2.P.M. Ramaswami

...Respondent

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India praying to direct the learned Principal Sub-ordinate Court, Hosur to expedite of R.E.P.No.60 of 2003 in O.S.No.433 of 1996 within the stipulated period fixed by this Hon'ble Court and pass orders.



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For Petitioner : Mr.J. Pradeep

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ORDER

This petition is filed seeking a direction to direct the learned Principal Sub-ordinate Court, Hosur to expedite of R.E.P.No.60 of 2003 in O.S.No.433 of 1996 within the time frame fixed by this Court.

2. The case of the petitioner is that he has filed REP No.60 of 2003 in O.S.No.433 of 1996 on the file of the Principal Subordinate Judge, Hosur to issue notice to the respondent and order delivery of the schedule property and the same is pending. Hence this petition.

3. The learned counsel for the petitioner submitted that admittedly the suit is of the year 1996 and the R.E.P. was filed in the year 2003. Whiles, the respondent is dragging the case for the past 20 years due to which the petitioner is not able to enjoy the suit property. Hence, prays to allow this petition.



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4. On a perusal of records it is seen that the suit in O.S.No.433 of 1996 is filed by the petitioner in the year 1996 seeking to restrain the defendants from in any manner interfering with the peaceful possession and enjoyment of the suit property and the same was decreed in favour of the petitioner and the lower appellate Court and this Court also concurred the same in A.S.No.102 of 1998 and S.A.No.1573 of 2002. When this being the case, the REP No.60 of 2003 in O.S.No.433 of 1996 on the file of the Principal Subordinate Judge, Hosur has no progress and the same is pending for more than twenty years.

4. In view of the above, the learned Principal Subordinate Judge, Hosur is directed to consider the case of ordering delivery of the suit property in REP No.60 of 2003 in O.S.No.433 of 1996 and dispose of the same within a period of three months from the date of receipt of a copy of this order.



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5. With the above directions, this Civil Revision Petition is disposed of. No order as to costs.

19.09.2023

smn

Index : Yes/No

Internet: Yes/No

To.

1. The Principal Sub-ordinate Court, Hosur



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V.BHAVANI SUBBAROYAN,J.
Smn

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