



C.R.P.No.3673 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.10.2023

CORAM:

THE HON'BLE MRS. JUSTICE T.V.THAMILSELVI

C.R.P.No.3673 of 2023

Lalitha Subramanian

... Petitioner

-Vs-

Jey Yes Builders,
Partnership firm
rep. by its Partner Yacoob Ali

... Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to direct the learned District Munsif Court, Alandur to dispose E.P.No.177 of 2012 in O.S.No.508 of 2007 expeditiously and in any event not later than a time frame to be fixed by this Hon'ble Court.

For Petitioner

: Ms. S.P.Arthi



C.R.P.No.3673 of 2023

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ORDER

The Revision Petitioner herein is the Decree Holder/Plaintiff in the petition in E.P.No.177 of 2012 in O.S.No.508 of 2007 on the file of Addl. District Munsif, Alandur.

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

3. The learned counsel for Revision Petitioner would submit that she is aged about 68 years old lady filed a suit in the year of 2007 for the relief of recovery of possession and the same was decreed in her favour. Thereafter, she filed an Execution Petition in E.P.No. 177 of 2022 for delivery of possession and the same is pending before the District Munsif, Alandur. He would also submit that the suit was decreed earlier in the year of 2010 and thereafter, an Execution Application was filed by the Judgment Debtor for appointment of Advocate Commissioner under Sec.47 as early as in July 2014 and the same is pending from the year of 2014



C.R.P.No.3673 of 2023

without any progress. Therefore, she wanted to direct the trial court to dispose the case as early as possible.

4. On perusal of e-court status, it reveals that the case was adjourned on one occasion for orders and another occasion for arguments and thereafter for evidence. So, for nearly about two years, the case was adjourned without passing any order. Finally, it was posted on 06.10.2023, but the order was not passed and again it was adjourned to 21.11.2023 as per e-court status. So, considering the age of Revision Petitioner more than 68 years and a senior citizen and also the fact that the executing court adjourned the matter endlessly, this Court is inclined to direct the executing court to dispose the Execution Petition on merit as expeditiously as possible within a period of eight weeks from the date of receipt of copy of this order. Accordingly, this Civil Revision Petition is disposed of. No costs.

11.10.2023

Index : Yes/No
Speaking Order : Yes/No
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To
The Addl. District Munsif, Alandur.



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C.R.P.No.3673 of 2023

T.V.THAMILSELVI, J.

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C.R.P.No.3673 of 2023

11.10.2023