



C.R.P.No.3862 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2023

CORAM:

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

C.R.P.No.3862 of 2023

1. Rathinambal
2. Chinnaurai Padayachi ... Petitioners

-Vs-

Chandrasekara Padayachi (deceased)

1.Sundaravalli
2.Ramalingam
3.Seethapathy
4.Saravanan
5.Anusuya ... Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to direct the learned Subordinate Judge, Panruti to dispose E.A.No.4 of 2005 in E.P.No. 33 of 1985 in O.S.No.30 of 1983 within a stipulated time preferably within 4 weeks from the date of receipt of copy of the order.



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For Petitioner : Mr.A.Muthukumar

ORDER

The Revision Petitioners herein are the Decree holder and auction purchaser respectively have filed an application in E.A.No. 4 of 2005 praying for delivery of possession as per the sale certificate. But, all these years, the said application was not disposed of due to number of applications filed by Judgment Debtors. As on date, no appeal is pending. The property attached was already sold and the sale certificate was also issued in favour of auction purchaser on 23.12.2014. For delivery of possession, the said application was filed and the same is pending without any progress. Hence, they preferred this Civil Revision Petition praying for speedy disposal.

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. Considering the facts and circumstances and also the fact that for delivery of possession, the said application in E.A.No. 4 of 2005 was filed, but strangely the application is kept pending for more than 8 years without



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any further orders by the Executing Court. The delaying justice is also amount to denying justice. Therefore, this Court is inclined to direct the trial judge to take the application on file and dispose the same on merit within a period of six weeks from the date of receipt of copy of this order. Accordingly, this Civil Revision Petition is disposed of. No costs.

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Index : Yes/No
Speaking Order : Yes/No
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To

The Subordinate Judge, Panruti.



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T.V.THAMILSELVI, J.

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