



WEB COPY



CRP No.4274 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2023

CORAM :

THE HONOURABLE MRS. JUSTICE T.V. THAMILSELVI

Civil Revision Petition No.4274 of 2023

S.Pawan Kumar

... Petitioner

Versus

Pushpammal

...Respondent

Civil Revision Petition filed Under Article 227 of the Constitution of India, praying to issue a direction to dispose of the Execution petition in E.P.No.3 of 2022 in O.S.No.73 of 2006 pending before the learned III Additional District Judge, FTC-II, Poonamallee.

For Petitioner : Mr. C.P.Sivamohan

ORDER

The petitioner has filed this revision petition to issue a direction to dispose of the Execution petition in E.P.No.3 of 2022 in O.S.No.73 of 2006 pending before the learned III Additional District Judge, FTC-II, Poonamallee.



CRP No.4274 of 2023

2. Heard, Mr. C.P.Sivamohan, learned counsel for the petitioner and perused the materials available on record.

3. The learned counsel for the petitioner submitted that the petitioner has preferred a suit in O.S.No.73 of 2006, for the relief of specific performance, before the learned III Additional District Judge, FTC-II, Poonamallee. On hearing both sides the learned trial Judge directing the defendant to execute the sale deed in respect of the suit property in favour of the plaintiff within a period of one month from the date of deposit of the balance sale consideration. Thereafter, the Decree holder filed E.P.No.3 of 2022, on the file of the Additional District Court, FTC-II, Poonamallee for speedy disposal. Originally the suit was filed in the year 2006 and the EP was filed in the year 2022, in between, the matter was pending before the Hon'ble Supreme Court in SLP(c) Diary No.33023 of 2022. To execute the decree, EP was filed, but the Judgment Debtor not co-operating for disposing of the above Execution petition. Hence the revision petitioner has filed this Civil Revision Petition for speedy disposal.

4. Considering the fact that, the decree holder is aged about 70 years now and also the SLP filed before the Hon'ble Supreme Court is also



CRP No.4274 of 2023

dismissed, the Decree Holder is now taking steps to execute the decree.

Therefore, this Court directs the learned III Additional District Judge, FTC-II, Poonamallee, to dispose of the E.P.No.3 of 2022 in O.S.No.73 of 2006, on merits, within a period of 3 months from the date of receipt of a copy of this order.

5. In view of the above, this Civil Revision Petition is disposed of. There shall be no order as to costs.

30.11.2023

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation: Yes/No

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Note: Issue Order copy on or before 05.11.2023.

To

1. The III Additional District Judge, FTC-II, Poonamallee.
2. The Section Officer,
VR-Section, High Court of Madras.



WEB COPY



CRP No.4274 of 2023

T.V.THAMILSELVI, J.

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