



CRP(PD)(MD)No.2446 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRP(PD)(MD)No.2446 of 2022

Surumbayee Ammal (Died)
M.Selvaraj

... Petitioner

Vs

- 1.Palaniammal
- 2.Corporation of Tiruchirappalli,
Represented by its Commissioner,
(Ponmalai Zone),
Corporation Office, Trichy -1.
- 3.The Junior Engineer,
Operation and Maintenance Junction,
TNEB,
Collector's Office Road,
Tiruchirappalli – 1.

... Respondents

Prayer: Petition filed under Article 227 of the Constitution of India, seeking speedy disposal of E.P.No.270 of 2016, on the file of the I Additional District Munsif Court, Tiruchirappalli.

For Petitioner	:	Mr.K.S.Muthu
For R1	:	Mr.G.Mathavan
For R2	:	Mr.R.Baskaran



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ORDER

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This Civil Revision Petition is filed for speedy disposal of E.P.No.270 of 2016, on the file of the I Additional District Munsif Court, Tiruchirappalli.

2.The case of the petitioner is that one Surumbayee Ammal, who is the mother of the petitioner has filed a suit in O.S.No.546 of 2005, before the I Additional District Munsif Court, Tiruchirappalli, as against the respondents herein for the relief of declaration and for mandatory injunction and the said suit was decreed in favour of plaintiff on 13.08.2010. Thereafter, the said Surumbayee Ammal filed E.P.No. 270 of 2016, before the same Court. Pending the Execution proceedings, the said Surumbayee Ammal died, leaving behind the petitioner as her legal heir and hence he was added as a party to proceed with the execution proceedings. The grievance of the petitioner is that though the execution proceedings was initiated on 19.12.2015, it was adjourned for the past seven years without any progress. Hence, this petition.



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3.The learned counsel appearing for the petitioner submits that the respondents filed numerous E.As in the execution proceedings in order to protract the proceedings. Hence, a suitable direction may be issued to the learned I Additional District Munsif, Tiruchirappalli to dispose of the execution proceedings at the earliest.

4.Heard the learned counsel appearing for the petitioner and perused the materials placed on record.

5.On perusal of the records shows that the petitioner's mother, namely Surumbayee Ammal filed a suit in O.S.No.546 of 2005, before the I Additional District Munsif Court, Trichirappalli, as against the respondents herein for the relief of declaration and for mandatory injunction. On 13.08.2010, the suit was decreed in favour of her and she initiated execution proceedings and the same is still pending. Pending the execution proceedings, she died. Hence, the petitioner herein, who is the legal heir of the decree holder filed this Civil Revision Petition for



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early disposal of the execution proceedings. The fact remains that though the suit was decreed in the year 2010, the petitioner could not enjoy the fruits of the decree so far.

6.In view of the above, this Civil Revision Petition is allowed with a direction to the learned I Additional District Munsif, Tiruchirappalli to dispose of the execution proceedings in E.P.No.270 of 2016 within a period of five months from the date of receipt of a copy of this order. No costs.

06.01.2023

Index : Yes / No.

Internet : Yes / No.

vrn

To

The I Additional District Munsif Court, Tiruchirappalli.



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B.PUGALENDHI, J.

vrn

Order made in
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06.01.2023