



C.R.P.(MD)No.3040 of 2023

WEB COPY

DATED: 28.11.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.3040 of 2023

1. Achyuth Tony Joseph

2. Twinkle Joseph

(represented through her brother and next
friend the 1st petitioner herein)

... Petitioners

P.A.Joseph (Died)

Vs.

1. M/s.Amarkantak Orchards Pvt. Ltd.
and Amarkantak farms Pvt Ltd.,
represented by its Director
Sundeeep Maheswari

2. Sundeeep Maheswari

3. Ravi Dhivedi

4. A.V.Balan

5. J.Jameer

6. A.Shameed Mansoor



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7. J.Noor Nisha

... Respondents

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(notice to the respondents are given up as they set ex parte)

Prayer : This Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the Additional District Judge, Periyakulam to expedite the execution proceedings in E.A.No.02 of 2023 in E.P.No.18 of 2022 in O.S.No.52 of 2006, and to execute the decree thereon, within a time to be fixed by this Court.

For Petitioners : Mr.R.Suriya Narayanan

ORDER

The Civil Revision Petition has been filed seeking a direction to dispose of the execution proceedings in E.A.No.02 of 2023 in E.P.No.18 of 2022 in O.S.No.52 of 2006, pending on the file of the Additional District Court, Periyakulam, within a period stipulated by this Court.

2. The learned counsel appearing for the revision petitioners would submit that subsequent to the filing of the present revision, the petition in E.A.No.02 of 2023 for substantiating the legal heirs of the decree holder was allowed and the Executing Court may be directed to dispose of the execution petition in E.P.No.18 of 2022 in O.S.No.52 of 2006 within a time stipulated by this Court.



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3. It is evident from the records that the suit for specific performance was decreed on 29.04.2008 and the appeal in A.S.(MD)No. 265 of 2008 was dismissed by this Court on 10.02.2022.

4. Considering the facts and circumstances and also the fact that the execution petition is pending for more than one year, the Executing Court is hereby directed to conduct an enquiry in E.P.No.18 of 2022 in O.S.No. 52 of 2006 and dispose of the same within a period of four (4) months from the date of receipt of copy of this order.

5. With the above direction, this Civil Revision Petition is disposed of. No costs.

28.11.2023

NCC :yes/No
Index :yes/No
Internet:yes/No
csm

To

1. The Additional District Court,
Periyakulam.
2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
C.R.P.(MD)No.3040 of 2023

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