



C.R.P(PD)(MD)No.2926 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.11.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.2926 of 2023

1.Pushpabai

Stalin (died)

2.Selvakumar

3.Jebasingh

4.Robert Singh : Petitioners/Decree holders/Plaintiffs

Vs.

1.Thaya Poonkamazh

Nesaian (died)

2.Suganthi Rani

3.Pukazh @ Anna Sneha Pukazh : Respondents/Judgment
Debtors/Defendants

Prayer : This Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the Principal District Munsif Court, Padmanabhapuram to dispose of the petition E.P.No.1 of 2023 in O.S.No.761 of 1991 within a time frame that may be fixed by this Court.



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For Petitioners : Mr.Godwin

ORDER

The Civil Revision Petition has been filed, invoking Article 227 of the Constitution of India, seeking orders to direct the Principal District Munsif Court, Padmanabhapuram to dispose of the petition E.P.No.1 of 2023 in O.S.No.761 of 1991 within a time frame that may be fixed by this Court.

2. The learned learned counsel for the petitioners would submit that the petitioners have filed a suit for partition and the suit was decreed on 26.08.1993; that the appeal preferred against the said decree was dismissed on 25.02.2003 and the second appeal was also dismissed on 29.06.2006 and that subsequently, final decree was passed on 18.10.2022 and that the decree holder has filed the execution petition and the same was taken on file in E.P.No.1 of 2023 and that the EP is being adjourned again and again. Hence, the petitioners were constrained to file the present petition.



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3. The learned counsel for the petitioners would further submit that though the petition under Section 47 C.P.C came to be filed on 21.07.2023, the same was returned and represented.

4. Considering the facts and circumstances of the case and also the fact that the second appeal was dismissed on 29.06.2016 and the final decree came to be passed on 18.10.2022, the Executing Court is directed to proceed with the enquiry and dispose of the same within a period of three months from the date of receipt of copy of this order.

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

08.11.2023

NCC :yes/No
Index :yes/No
Internet:yes/No
das



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To

- 1.The Principal District Munsif Court,
Padmanabhapuram.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court, Madurai.



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K.MURALI SHANKAR,J.

das

Order made in
C.R.P.(MD)No.2926 of 2023

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