



C.R.P.(MD)No.2949 of 2023

WEB COR K.MURALI SHANKAR,J.

This matter is listed today under the caption “For Being Mentioned” at the instance of the learned Counsel for the petitioner.

2. The learned counsel for the petitioner would submit that the application in E.A.No.1 of 2023 was only for seeking police help and the same was already ordered and the present application seeking a direction to demarcate the pathway is pending in E.A.No.2 of 2023. He would further submit that in the order, dated 23.11.2023, in C.R.P.(MD)No.2949 of 2023, EA number has been mentioned as E.A.No.1 of 2023 instead E.A.No.2 of 2023 and seeks necessary corrections in the said order.

3.Heard both sides and perused the order, dated 23.11.2023 passed by this Court.

4. Registry is directed to make necessary corrections and issue fresh order copy to the parties concerned.

**18.01.2024**

das

<https://www.mhc.tn.gov.in/judis>



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**K.MURALI SHANKAR,J.**

das

ORDER MADE IN  
C.R.P.(MD)No.2949 of 2023

18.01.2024



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:23.11.2023

CORAM

**THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR**

**C.R.P.(MD)No.2949 of 2023**

V.Amirtham

: Petitioner/Petitioner/Plaintiff

Vs.

L.M.Pethan(died)  
P.Ramalingam(died)

1.N.Dhanalakshmi  
2.J.Vijaya  
3.P.Alagesan

: Respondents/Respondents/  
Defendants

**PRAYER:-** Civil Revision Petition is filed under Article 227 of the Constitution of India to direct the District Munsif cum Judicial Magistrate, Srirangam to complete the execution proceedings in E.P.No.8 of 2021 in O.S.No.178 of 2005, on the file file of the same Court within the stipulated time fixed by this Court.

For Petitioner : Mr.K.R.Manimaran

**ORDER**



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The Civil Revision Petition has been filed seeking a direction to dispose of the execution petition in E.P.No.8 of 2021 in O.S.No.178 of 2005, on the file of the District Munsif cum Judicial Magistrate, Srirangam, within the stipulated time fixed by this Court.

2. I have heard the learned counsel appearing for the revision petitioner. Since the revision petition is filed for early disposal of the case, the issuance of notice to the respondents is not necessary.

3. Though the revision petition is filed seeking a direction to dispose of E.P.No.8 of 2021, when the matter was taken up for hearing, the learned Counsel for the petitioner would submit that a compromise decree came to be passed on 23.09.2011 in O.S.No.178 of 2005, that since the judgment debtors have not complied to the terms of the decree, the revision petitioner laid the execution petition in E.P.No.8 of 2021 and that the execution petition was ordered, that the respondents have obstructed to execute the same and hence, the revision petitioner filed E.A.No.1 of 2023 seeking a direction to demarcate the pathway with the assistance of the Sub-Inspector of Survey by planting survey stones on four corners of the pathway and to



take appropriate and necessary action against the concerned officers and the same is pending without any progress, the learned Counsel for the petitioner seeks speedy disposal of E.A.No.1 of 2023.

4. Considering the fact that the compromise decree came to be passed on 23.09.2011 in O.S.No.178 of 2005, the Execution Court is hereby directed to proceed with the enquiry in E.A.No.1 of 2023 and dispose of the same within a period of six months from the date of receipt of a copy of this order.

5. With the above direction, the Civil Revision Petition is disposed of. There shall be no order as to costs.

**23.11.2023**

NCC : Yes : No

Index : Yes : No

Internet : Yes : No

SSL

To

1. The District Munsif cum Judicial Magistrate Court,  
Srirengam.

2. The Record Keeper,  
Vernacular Section,  
Madurai Bench of Madras High Court,



Madurai.

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**K.MURALI SHANKAR,J.**

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PRE-DELIVERY JUDGMENT MADE IN

C.R.P.(MD)No.2949 of 2023

23.11.2023