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C.R.P.(PD) No.2648 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2024

C O R A M

THE HONOURABLE MR. JUSTICE M. NIRMAL KUMAR

C.R.P.(PD).No.2648 of 2024

Jean Anandam (Deceased)

L.T.Col (Retdl) Anna Mani

... Petitioner

Versus

Duraisamy (Deceased)

1. D. Thangaraj

2. D. Murugesan

... Respondents

PRAYER: The Civil Revision Petition is filed under Article 227 of the Constitution of India to direct the learned II Additional District Court at Tiruppur to dispose of the Execution Petition in E.P.No.4 of 2021 in O.S.No.313 of 2023 within a time that may be fixed by this Court.

For Petitioner : Mr.M.Rajasekar

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C.R.P.(PD) No.2648 of 2023

ORDER

The petitioner/decree holder in O.S.No.313 of 2013 had filed a Execution Petition in E.P.No.4 of 2021 in November, 2020. The petitioner had obtained a decree on 01.07.2014. The petitioner being a retired Air Force Officer, aged about 74 years, had filed the Execution Petition. But, till date, the Execution Petition is kept pending.

2. The learned counsel for the petitioner would submit that though there was some delay due to Covid-19 pandemic situation, after normal functioning of the Court, the case has not progressed for one reason or other. Lastly on 24.11.2022, the petition filed under Order VI, Rule 17 of C.P.C. found to be correct and thereafter, the case was adjourned from 12.12.2022 and E.A.1 of 2022 filed to amend the address of the plaintiff was posted for counter and disposal citing the case has been periodically adjourned and lastly the case came up for hearing on 11.06.2024. Till date, the same stalemate exists. Hence, the petitioner has filed this Civil Revision Petition for speedy disposal of the Execution Petition.



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C.R.P.(PD) No.2648 of 2023

3. Considering the limited prayer sought for by the petitioner for speedy disposal, notice to the respondents dispensed and this Court directs the II Additional District Court, Tiruppur, to dispose of E.P.No.4 of 2021 in O.S.No.313 of 2023 within a period of two (2) months from the date of receipt of a copy of this order.

This Civil Revision Petition is disposed of accordingly. There shall be no order as to costs.

12.07.2024

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To

The II Additional District Court,
Tiruppur.



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M. NIRMAL KUMAR, J.

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