



WEB COPY



C.R.P.No.2842 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.07.2024

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

C.R.P.No.2842 of 2024

Sujatha

Rep by Power of Attorney

Mr.P.S.Sudar

... Petitioner

Vs.

1.M.Sujatha

2.R.Susainathan

Kavitha (Died)

3.Adithiaa Educational Trust,

An Education Trust having its office at
10th Main Road, Ramnagar South Extension,
Pallikaranai, (Opposite Lanson Showroom)
Chennai – 600 100.

4.A.P.Murthy,

Founder of Aadithiaa Educational Trust,
Having his office at
10th Main Road,
Ramnagar South Extension,
Pallikaranai, (Opposite Lanson Showroom)
Chennai – 600 100.



C.R.P.No.2842 of 2024

5.The Joint Sub-Registrar I,
District Registrar Cadre,
Chennai South District,
Jenis Street, Saidapet,
Chennai – 600 035.

... Respondent

[Cause-title accepted vide Court order
dated 04.07.2024 made in C.M.P.No.
12521/2024 in C.R.P.SR.No.33092/2024]

PRAYER: Civil Revision Petition has been filed under Article 227 of Constitution of India, 1950, praying to direct the Principal Munsif Court, Sholinganallur to dispose of the Execution Petition in E.P.No.161 of 2017 in O.S.No.607 of 2014 on the file of the learned Principal District Munsif Court, Sholinganallur within a time frame as fixed by this Court by allowing this Civil Revision Petition.

For Petitioner : Mr.P.Vinodh Kumar
for Ms.S.Anuradha Balaji

For Respondent-5 : Mr.C.Sathish
Government Advocate

ORDER

This revision has been filed seeking a direction to the Principal Munsif Court, Sholinganallur to dispose of the Execution Petition in E.P.No.161 of 2017 in O.S.No.607 of 2014 on the file of the learned Principal District Munsif Court, Sholinganallur within a time frame.



C.R.P.No.2842 of 2024

WEB COPY

2.The petitioner/decreed holder filed E.P.No.161 of 2017 in O.S.No.607 of 2014. In the execution petition, the respondents 1 and 6 were given up. The second respondent was set ex-parte on 07.04.2022. On 05.07.2022, the respondents 3 to 5 were set ex-parte. After adjudication, the Execution Petition was allowed on 31.01.2023 directing the judgment debtors 2 to 4 to remove the illegally constructed compound wall and name board in the suit scheduled property and deliver vacant possession by 28.02.2023. But, till date, the removal of compound wall and name board not done and vacant possession is yet to be handed over. In the meanwhile, the respondents were filing one petition or other delaying the progress of proceedings. Added to it, after creation of District Munsif-cum-Judicial Magistrate Court at Sholinganallur, on 02.03.2024, the case was transferred and renumbered as E.P.No.72 of 2024. Now the case is pending before learned District Munsif-cum-Judicial Magistrate, Sholinganallur. The learned counsel further submitted that there is not much pendency, despite the same, the case was periodically adjourned without any progress.



C.R.P.No.2842 of 2024

WEB COPY

3.Since it is only a limited prayer seeking direction to dispose of E.P.No.161 of 2017 in O.S.No.607 of 2014 within the stipulated period, notice to the respondents 1 to 4 not required. Hence, notice to the respondents 1 to 4 dispensed with.

4.Considering the submissions made and on perusal of the adjudication copy, it is seen that the E.P. is pending from the year, 2017 without any progress. In view of the same, this Court directs the District Munsif-cum-Judicial Magistrate Court, Sholinganallur to dispose of E.P.No.161 of 2017, renumbered as E.P.No.72 of 2024 in O.S.No.607 of 2014, within a period of three months from the date of receipt of a copy of this order.

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

30.07.2024

Index : Yes/No

Speaking order/Non speaking order

Neutral Citation : Yes/No

rsi



C.R.P.No.2842 of 2024

WEB COPY

To

The District Munsif-cum-Judicial Magistrate,
Sholinganallur.



WEB COPY



C.R.P.No.2842 of 2024

M.NIRMAL KUMAR, J.

rsi

C.R.P.No.2842 of 2024

30.07.2024