



C.R.P.No.3762 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2024

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

C.R.P.No.3762 of 2024

M.Rajangam

... Petitioner

Vs

V.Jeyanthi

... Respondent

PRAYER : Civil Revision Petition filed under Article 227 of Constitution of India, pleaded to issue direction to IInd Additional District and Sessions Court, Tiruppur, to dispose in E.P.No.60 of 2022 in O.S.No.484 of 2021, in a strict manner within a stipulated time.

For Petitioner : Ms.A.P.Yazhini

ORDER

This Civil Revision Petition has been filed by the petitioner seeking for a direction to IInd Additional District and Sessions Court, Tiruppur, for the speedy disposal of the Execution Petition in E.P.No.60 of 2022 in O.S.No.484 of 2021.



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2. It is the case of the petitioner that the petitioner/plaintiff has filed a suit in O.S.No.484 of 2021 before IInd Additional District and Sessions Court, Tiruppur against the respondent/defendant for recovery of money. Thereafter, the respondent/defendant agreed to settle the amount and based on the settlement arrived, the matter was referred to Lok Adalat and the Lok Adalat award came to be passed by the IInd Additional District and Sessions Court, Tiruppur, on 11.12.2021. As per the settlement, the respondent/defendant agreed to pay the suit claim of Rs.11,81,000/- towards full quit of the suit claim within one month. Since the respondent had not paid the amount as per the terms of settlement, the petitioner has filed an execution petition in E.P.No.60 of 2022 before the IInd Additional District and Sessions Court, Tiruppur, in which, the respondent was set ex parte. Further, the petitioner has also given the details of all the properties owned by the respondent/defendant, however, the executing Court has not taken any further steps for attachment and has been repeatedly adjourning the matter for ex parte enquiry, thereby, the learned counsel for the petitioner seeks a direction to the Executing Court to dispose of the Execution Petition filed by the petitioner within a specified time frame.



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3. Heard the learned counsel for the petitioner and perused the materials

available on record.

4. On perusal of records, it is seen that in the suit filed by the petitioner, the Lok Adalat award was passed in the year 2021 and the respondent has not complied with the terms of settlement. Further, the execution petition filed by the petitioner is pending from 2022 and due to the delay in the execution proceedings, the petitioner/plaintiff is put to unnecessary hardship.

5. In view of the above, this Civil Revision Petition stands allowed with a direction to the learned IInd Additional District and Sessions Judge, Tiruppur, to dispose of the Execution Proceedings in E.P.No.60 of 2022, as expeditiously as possible, preferably, within a period of **nine months** from the date of receipt of a copy of this order. No costs.

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Index : Yes / No

Neutral Citation : Yes / No

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To : The IInd Additional District and Sessions Court,
Tiruppur.

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