



C.R.P.[NPD].Nos.4814 & 4815 of 2024

**THE HIGH COURT OF JUDICATURE AT MADRAS**

**Date : 27.11.2024**

**CORAM:**

**THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR**

**C.R.P.[NPD].Nos.4814 & 4815 of 2024**

Radhakrishnan (Deceased)

1.Soodamani

2.Kamesh

. . . Petitioners in both CRPs

**Versus**

Lurthusamy (Died)

1.Rosemary

2.Sayamery

3.Balammal

4.Vimala

5.Monica

6.Anthoniraj

7.Komathi

2024

. . . Respondents in CRP 4814 of

1.Gomathi

Lourdusamy (Died)

1.Rosemary

2.Sayamery

3.Balammal

4.Vimala

Page 1 / 5



C.R.P.[NPD].Nos.4814 & 4815 of 2024

5.Monica

6.Anthoniraj

2024

. . . Respondents in CRP 4815 of

**Prayer in CRP.No.4814 of 2024:** Petition filed under Article 227 of Constitution of India to direct the learned District Munsif Court, Sriperumbudur to dispose of the pending I.A.No.1 of 2022 in I.A.No.323 of 2008 in O.S.No.433 of 2005 on its file within a time frame fixed by this Court.

**Prayer in CRP.No.4815 of 2024:** Petition filed under Article 227 of Constitution of India to direct the learned District Munsif Court, Sriperumbudur to dispose of the pending E.A.No.1 of 2022 in E.P.No.14 of 2016 in O.S.No.433 of 2005 on its file within a time frame fixed by this Court.

For petitioner : M/s.R.Rashmi [in both CRPs]

### **COMMON ORDER**

These Civil Revision Petitions have been filed to direct the learned District Munsif Judge, Sriperumbudur to dispose of the applications in I.A.No.1 of 2022 in I.A.No.323 of 2008 in O.S.No.433 of 2005 and E.A.No.1 of 2022 in E.P.No.14 of 2016 in O.S.No.433 of 2005 within a



C.R.P.[NPD].Nos.4814 & 4815 of 2024

stipulated period fixed by this Court.

2. It is the case of the petitioners that the first petitioner's husband namely Radhakrishnan had filed the suit in O.S.No.433 of 2005 on the file of District Munsif, Kancheepuram for declaration. The suit was decreed exparte on 23.01.2009. Thereafter, filed E.P.No.14 of 2016 to enforce the decree and as the defendant died, the legal heirs were added as the respondents and since, there was mistake crept in the names of the legal heirs, an application in E.A.No.1 of 2022 was filed by the petitioners, which is pending. Similarly, the defendant had filed I.A.No.323 of 2008 for setting aside the exparte decree dated 23.01.2006 and since, the defendant died in the year 2014, the respondents herein have filed I.A.No.1 of 2022 to condone the delay of 1909 days in filing the I.A.No.323 of 2008 and the same is pending. The grievance of the petitioner is that as the applications filed by the petitioners as well as the respondents are pending, due to the pendency of the applications, the execution petition could not be disposed of. Hence, seeks a direction for early disposal of both the applications.



C.R.P.[NPD].Nos.4814 & 4815 of 2024

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3. Considering the limited relief sought by the revision petitioners, without going into the merits of the case, the learned District Munsif Court, Sriperumbudur is directed to dispose of the applications in I.A.No.1 of 2022 in I.A.No.323 of 2008 in O.S.No.433 of 2005 and E.A.No.1 of 2022 in E.P.No.14 of 2016 in O.S.No.433 of 2005 expeditiously within a period of four months from the date of receipt of a copy of this Order.

4. With the above directions, these Civil Revision Petitions are disposed of. No costs.

**27.11.2024**

Index : Yes / No

Internet: Yes

Speaking/non speaking order

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C.R.P.[NPD].Nos.4814 & 4815 of 2024

**N. SATHISH KUMAR, J.**

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