



C.R.P.(MD)No.263 of 2024

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DATED: 06.02.2024

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.263 of 2024

A.Mohammad Ashique

... Petitioner/
Petitioner/
Plaintiff

Vs.

1. N.Pushpam @ Pushpavalli

2. N.Ramachandran

... Respondents/
Respondents/
Defendants

Prayer : This Civil Revision Petition filed under Article 227 of Constitution of India, to direct the 3rd Additional Sub Court, Madurai to dispose of the execution petition in E.P.No.115 of 2023 in O.S.No.207 of 2023 within a definite time framed by this Court.

For Petitioner : Mr.V.George Raja
for M/s.Ajmal Associates

ORDER

The Civil Revision Petition has been filed seeking a direction to dispose of the petition in E.P.No.115 of 2023 in O.S.No.207 of 2020 pending on the file of the III Additional Sub Court, Madurai.



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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. The learned counsel appearing for the revision petitioner would submit that the revision petitioner as plaintiff has filed the above suit in O.S.No.207 of 2020 to vacate the respondents/defendants from the suit property and hand over the vacant possession of the same, that judgment and decree came to be passed on 15.12.2022 and that they have filed the execution petition in E.P.No.115 of 2023 and the same is pending.

4. It is seen from the records and the 'B' diary that service is not yet completed.

5. Considering the facts and circumstances of the case, the Executing Court, by following the directions issued by the Hon'ble Supreme Court in ***Rahul S. Shah Vs. Jinendra Kumar Gandhi and others*** reported in ***(2021) 6 SCC 418***, wherein, the Executing Courts are directed to dispose of the execution proceedings within six months from



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the date of filing, is directed to proceed with the enquiry in E.P.No.115 of 2023 and dispose of the same within the time stipulated by the Hon'ble Supreme Court.

6. With the above observation and direction, this Civil Revision Petition is disposed of. No costs.

06.02.2024

NCC :yes/No
Index :yes/No
Internet:yes/No
csm

To

1. The III Additional Sub Court,
Madurai.
2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
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