



C.R.P(MD)No.433 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.02.2024

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

C.R.P(MD)No.433 of 2024

M.Kalimuthu

... Petitioner / Plaintiff / Petitioner

Vs

R.Chithanathan

... Respondent

Prayer : Civil Revision Petition is filed under Article 227 of the Constitution of India, to pass a direction to the learned Additional District Judge, Srivilliputhur, to expedite the execution proceedings in E.P.No.7 of 2020 in O.S.No.11 of 2016 and to dispose of the execution petition within a time frame.

For Petitioner : Mr.S.Chandrasekaran

ORDER

This Civil Revision Petition is filed to pass a direction to the learned Additional District Judge, Srivilliputhur, to expedite the



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execution proceedings in E.P.No.7 of 2020 in O.S.No.11 of 2016 and to dispose of the execution petition within a time frame.

2. Learned counsel for the petitioner would submit that the petitioner is aged about 74 years and apprehending that he will not be able to realize the fruits of the decree, this Civil Revision Petition is filed, seeking speedy disposal of the suit. He further stated that in the main suit itself, the respondent remained *ex parte*. A decree was passed on 27.01.2020. Thereafter, E.P.No.7 of 2020 was filed to execute the decree. In the decree also the respondent remained *ex parte*. Later he filed an application for setting aside the *ex parte* order and sought for permission to file counter. The same allowed and counter was filed by the respondent. In spite of that, the matter has been dragged on without any conclusion.

3. Considering the age of the petitioner, there shall be a direction to the learned Additional District Judge, Srivilliputhur, to expedite the proceedings in E.P.No.7 of 2020 and complete the same within a period of six months from the date of receipt of a copy of this order.



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4. With this direction, this Civil Revision Petition is disposed of.

No costs.

20.02.2024

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

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To

- 1.The Additional District Judge, Srivilliputhur.
- 2.The Record Keeper, Vernacular Records,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN, J.

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ORDER
IN
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