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C.R.P.No.3752 of 2025

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED : 18.08.2025

CORAM:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

C.R.P. No. 3752 of 2025

M.Subramanian

...Petitioner

Vs

1. Ponnaya
2. Velumani
3. Mani @ Amutha
4. P.Komarasamy Gounder

...Respondents

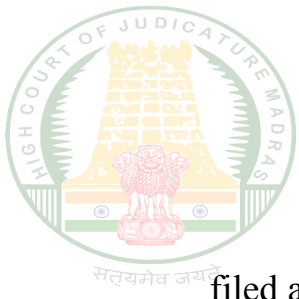
PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, praying to direct the trial Court to dispose of R.E.A.No.30 of 2010 in R.E.P.No.10 of 2004 in O.S.No.482 of 1995 pending on the file of the District Munsif Court, Sankari, Salem District within a time frame to be fixed by this Court.

For Petitioner : Mr.M.Sudhan

ORDER

The limited prayer sought for in this petition is for a direction to the trial Court to dispose of R.E.A.No.30 of 2010 in R.E.P.No.10 of 2004 in O.S.No.482 of 1995 within a time frame that may be fixed by this Court.

2. According to the petitioner, the fourth respondent herein has



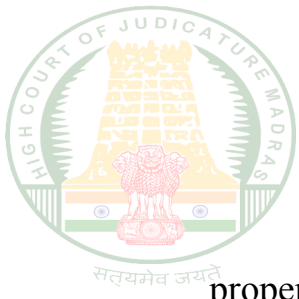
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filed a suit in O.S.No.482 of 1995 for recovery of money and the said suit was decreed on 26.09.2003. Subsequently, R.E.P.No.10 of 2004 was filed for attachment of sale of immovable properties. Attachment was effected and properties were sold in public auction and the petitioner herein was declared as auction purchaser and sale certificate also was issued to the petitioner. Questioning the same, the respondents 1 to 3/judgment debtors have filed O.S.No.39 of 2009, which came to be dismissed on 09.06.2009 and as against the said dismissal order, the judgment debtors preferred an appeal in A.S.No.20 of 2009 and the lower appellate Court upheld the judgment of the trial Court. Subsequently, the petitioner/auction purchaser filed an application in R.E.A.No.30 of 2010 for delivery of possession of schedule mentioned properties, but the same is pending for more than 15 years. Hence, the petitioner has filed the present petition.

3. Heard the learned counsel for the petitioner and perused the materials available on record.

4. On a perusal of the records, it is seen that the petitioner, who is the auction purchaser, has filed an application under Order XXI Rule 95 read with Section 151 C.P.C. in R.E.A.No.30 of 2010 seeking a direction to the Execution Court to deliver the possession of scheduled mentioned



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properties by due process of law and the said application is pending for 15 years.

5. Considering the facts and circumstances, there shall be a direction to the District Munsif, Sankari to dispose of R.E.A.No.30 of 2010 in R.E.P.No.10 of 2004 in O.S.No.482 of 1995, within a period of three months from the date of receipt of a copy of this order, if there is no other legal impediment.

6. With the above direction, this Civil Revision Petition is disposed of. There shall be no order as to costs.

18.08.2025

Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

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