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C.R.P.No.5964 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2025

CORAM

THE HONOURABLE Mr.JUSTICE P.B.BALAJI

C.R.P.No.5964 of 2025

AND

C.M.P.No.29476 of 2025

Kasturi

Petitioner

VS

Karunanithi

Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to issue a direction directing the Hon'ble Subordinate Judge, Thirupattur, to expeditiously dispose of the application in I.A.No.1 of 2023 in O.S.No.103 of 2017 within the time framed as fixed by this Hon'ble Court.

For Petitioner : Mr.R.Rajarajan

ORDER

Heard the learned counsel for the petitioner.



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2. The revision petitioner has filed an application under Order 9

Rule 13 of CPC in I.A.No.1 of 2023 in O.S.No.103 of 2017. The suit has been filed for specific performance of an agreement of sale between the petitioner and the respondent. In the said suit, the petitioner was set *ex parte* and within 30 days, an application to set aside the *ex parte* decree has been filed. The same is pending from the beginning of 2023 onwards. However, the execution petition filed by the respondent is being hastened and causing serious prejudice to the petitioner. The learned counsel for the petitioner, therefore, states that some suitable direction shall be given to the trial Court to expeditiously dispose of the application in I.A.No.1 of 2023.

3. Considering that the application under Order 9 Rule 13 of CPC is pending from the beginning of 2023 and on the other hand, the respondent taking advantage of the *ex parte* decree is proceeding with the execution petition, I am inclined to direct the learned Sub ordinate Judge, Tirupattur, to expedite enquiry in I.A.No.1 of 2023 in O.S.No.103 of 2017 and pass orders within a period of four weeks from the date of receipt of copy of this order.



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WEB COPY Accordingly, this civil revision petition is disposed of. No costs.

Connected C.M.P. stands closed.

26.11.2025

ssa

To

1.The learned Sub ordinate Judge, Tirupattur.

P.B.BALAJI,J.,

ssa



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26.11.2025