

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2016

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THE HONOURABLE DR. JUSTICE S.VIMALA

C.R.P. (Npd) No.246 of 2016

and

C.M.P.No.1193 of 2016

The Managing Director,
TNSTC (Villupuram) Ltd,
3/137, Salamedu,
Vazuthareddy,
Villupuram 605 602

... Revision Petitioner/Judgment Debtor
Respondent

Vs.

M.Mathan

... Respondent/Decree Holder/
Petitioner

Civil Revision Petition filed under Article 227 of Constitution of India against the order passed by the learned Principal Subordinate Judge, Tindivanam in E.P.No.25/2015 dated 12.04.2016 passed for recovery of the award amount passed in M.C.O.P.no.219/2009 dated 24.08.2012, on the file of the I Additional District Court, Tindivanam.

For Petitioner : Mr.P.Paramasiva Doss

For Respondent : Mr.S.Madhar Khan

ORDER

This Civil Revision Petition has been filed challenging the order of attachment passed by the Principal Subordinate Judge, Tindivanam in E.P.No.25 of 2015 dated 12.01.2016.

2. The E.P.No.25 of 2015 has been filed seeking enforcement of the order of compensation awarded at Rs.4,13,237/- payable with interest and costs to the respondent herein.

3. Heard both the learned counsel for the petitioner/respondent.

4.This Court by an order dated 28.01.2016, has granted an order of interim stay on condition that the petitioner-Transport Corporation shall deposit the entire award amount together with accrued interest and costs to the credit of E.P.No.25 of 2015 in M.C.O.P.No.219 of 2009, on the file of the Principal Sub Court, Tindivanam, within a period of two weeks from the date of receipt of a copy of the order.

5. The said order has not been complied with by the petitioner-Transport Corporation.

6. The learned counsel for the petitioner seeks extension of time to comply with the order dated 28.01.2016. No further extension can be granted as the award (compensation) pertains to an accident claim, payable to the injured.

7. The learned counsel for the respondent submits that on account of grievous injury sustained by the respondent, sufferings are manifold and grant of further time would add to the sufferings of the respondent.

8. When the decree itself is of the year 2012, there is no justification in grant of further time to the petitioner.

9. Grounds of CRP perused. The grounds do not make out that the order of attachment is perverse or illegal.

10. In view of the same, this Civil Revision Petition is disposed of by directing the Petitioner- Transport Corporation to deposit the entire award amount together with accrued interest and costs, to the credit of E.P.No.25 of 2015 in M.C.O.P.No.219 of 2009, within a period of eight weeks from today i.e.on or before 16.06.2016, without fail and without seeking further extension of time. No costs. Consequently, connected Miscellaneous Petition is closed.

28.04.2016

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Note: Issue order copy on 28.04.2016.

S.VIMALA, J

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To

1. The Principal Subordinate Judge, Tindivanam
2. The I Additional District Court, Tindivanam.

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