

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2017

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE M.SUNDAR

O.S.A.Nos.448 and 449 of 2012

S.Mukanchand Bothra
Cine Financier
No.43/44, Bothra's Karishma Complex
Veerappan Street, Sowcarpet
Chennai - 600 079.

... Appellant

Vs.

1.P.Leelavathy
2.P.Sukumar
3.P.Swathy

... Respondents

Prayer: Appeals against the order dated 17.10.2012 made in A.Nos.4180 and 4181 of 2012 in A.No.2680 of 2012 in C.S.No.959 of 2008 on the file of this Court.

For Appellant : Mr.S.Mukanchand Bothra
Party-in-Person

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

An attachment order was issued on 19.7.2012 in the suit filed for recovery on an application filed by the plaintiff/appellant herein, but in the course of the execution of the attachment warrant, there was obstruction and, thus, the appellant sought police assistance to break open the locks found in the premises. This request has been declined vide the impugned order dated 17.10.2012.

2. The submission on behalf of the appellant is that once the attachment order stands and is not recalled and there is obstruction, then the necessary sequitur to that was to obtain police assistance to break open the locks found in the premises which has been declined by the impugned order.

3. Something may be said of the arguments advanced on behalf of the appellant, but then these appeals have become infructuous by reason of the fact that the suit already stands decreed vide judgment and decree dated 6.1.2014 and, thus, the remedy would be of execution, which the appellant states has already been availed of.

The appeals, thus, stand disposed of as infructuous.

Sd/-
Assistant Registrar(CS V)

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Sub Assistant Registrar

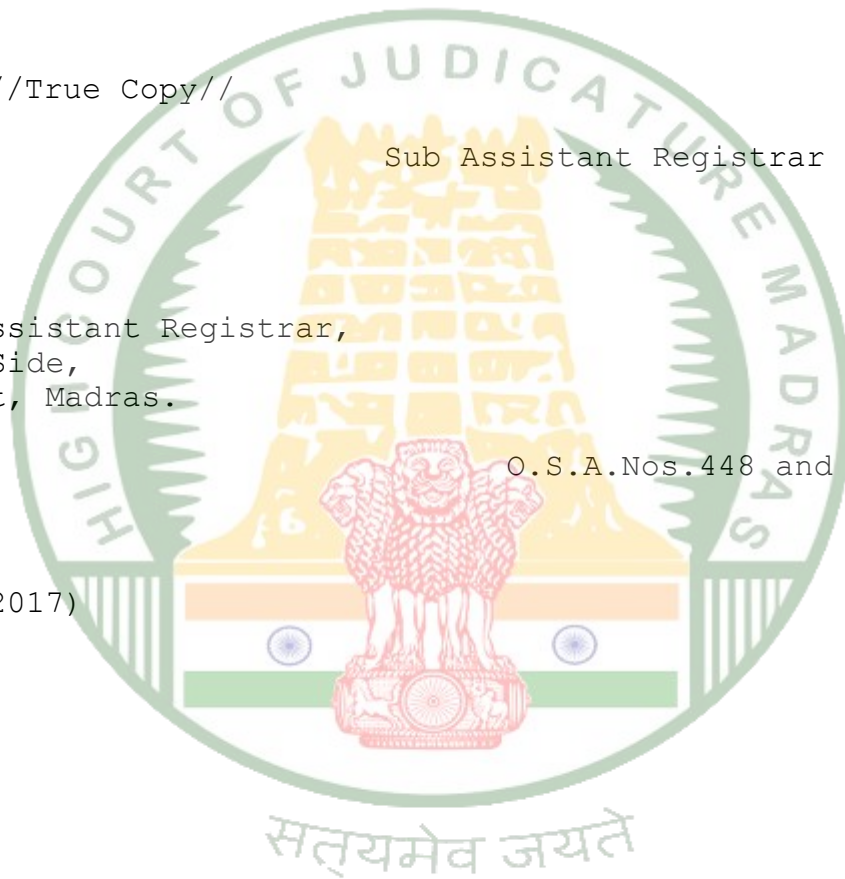
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To

The Sub Assistant Registrar,
Original Side,
High Court, Madras.

O.S.A.Nos.448 and 449 of 2012

SV(CO)
CA(02/02/2017)



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