



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.03.2017

CORAM :

WEB COPY

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CRP (NPD) (MD) No.743 of 2016
and
CMP (MD) No.3571 of 2016

Thangam (A) Thangavel

... Petitioner

vs .

1) Kannathal
2) Gunasundarai
3) Mahamayee
4) Parameswari
5) Vedammal
6) The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

... Respondents

Prayer:- Civil Revision Petition filed under Section 115 of the Civil Procedure Code, against the order dated 18.02.2015 in E.A.No.147 of 2014 in E.P.No.23 of 2006 in L.A.O.P.No.359 of 2001 on the file of the learned Subordinate Judge, Aruppukottai.

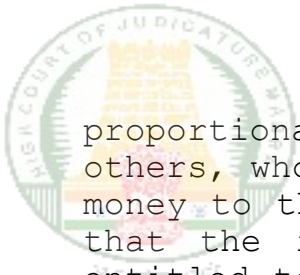
For Petitioner : Mr.N.Sathish Babu
For R1 to R3 & R5 : Mr.S.Vinoth

ORDER

This revision petition is filed against the order passed by the learned Sub Judge, Aruppukottai, in E.A.No.147/14, on the ground that some of the sharers to the compensation money have withdrawn around Rs.1,24,322/-, without the knowledge of the revision petitioner, thereby causing diminishing interest likely to accrue towards his share in the compensation.

2.Today, the revision petitioner has also submitted a calculation memo, stating that the share of the revision petitioner as on date is Rs.89,062/- and this money should not be disbursed to the others.

3.This Court fails to understand why Tribunal should disburse the revision petitioner's money to others or in converse why the revision petitioner should be put to notice when the Tribunal disburses money to the other sharers who are legally entitled. The only apprehension of the revision petitioner is that his



proportionate share in the compensation should not be disbursed to others, who are not entitled to that and when the Tribunal disburses money to the other sharers who are entitled therefor, should ensure that the interest likely to accrue towards the principal amount entitled to the revision petitioner shall not get diminished in any manner.

4. Therefore, it is open to the revision petitioner to make a claim petition before the Tribunal and the Tribunal shall pass orders accordingly based on the amount awarded and available in the O.P account.

Hence, this Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

The Subordinate Judge, Aruppukottai.

+ 1 CC TO Mr.N.SATHISH BABU, ADVOCATE IN SR No. 15757

+ 1 CC TO Mr.A.SIVAJI, ADVOCATE IN SR No. 15416

NBI

TE/SKN-RSK : 28/03/2017 : 2P/4C

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