

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :01.11.2018

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P.(NPD)No.110 of 2008
and
M.P.No.1 of 2008

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- 1.Revenue Divisional Officer,
District Collector's Office,
Salem – 636 001.
- 2.The Principal,
Government Industrial Training Institution,
Yercaud Road, Salem – 7. ... Petitioners /
Respondents
- /vs/
1. K.Chandrasekaran
2. K.Suseela
3. K.Ravichandran
4. Saraswathi
5. Kannammal
6. A.Suresh
7. Nirmala
8. P.Rajam
9. P.Pameela
10.P.Vikram
11.P.Balamani
12.M.Prabha
13.S.Radhika ... Respondents /
Claimants / appellants

PRAYER: Civil Revision Petition filed under Section 115 of the Civil Procedure Code, against the docket order dated 03.12.2007 made in R.E.P.No.17/2006 in LAOP No.12/1970 on the file of the learned Additional Subordinate Judge, Salem.

For Petitioner : Mr.M.Sricharan Rangarajan
Special Government Pleader(CS)

For Respondent : Mr.P.Jagadeesan
for R1, R2, R4 to R13.
Not ready in notice for R3

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ORDER

The above Civil Revision Petition is filed challenging the order passed by the learned Additional Subordinate Judge, Salem in R.E.P.No.17 of 2006 in L.A.O.P.No.12 of 1970.

2. This Court is not going into the merits as well as the details of the case. The impugned order is a docket order which does not contain any reason. On hearing the arguments of both parties, it appears that there is some confusion with reference to the calculation of the award amount which has to be gone into before any orders be passed by the Execution Court.

3. Therefore, this Court deems it fit to remit the proceedings back to the learned Additional Subordinate Judge, Salem, for hearing the execution proceedings afresh particularly with reference to the quantum of the award.

4. Accordingly, the proceedings in R.E.P.No.17 of 2006

in L.A.O.P.No.12 of 1970 is remitted back to the learned Additional Subordinate Judge, Salem for hearing the same afresh and the learned Judge is directed to dispose of the proceedings within a period of three months from the date of receipt of a copy of this order.

5. In the result the Civil Revision petition is allowed on these lines and the impugned order is set aside. No costs. Consequently, connected miscellaneous petition is closed.

01.11.2018

Index : Yes/No

Speaking/non-speaking order

jrs/ssi

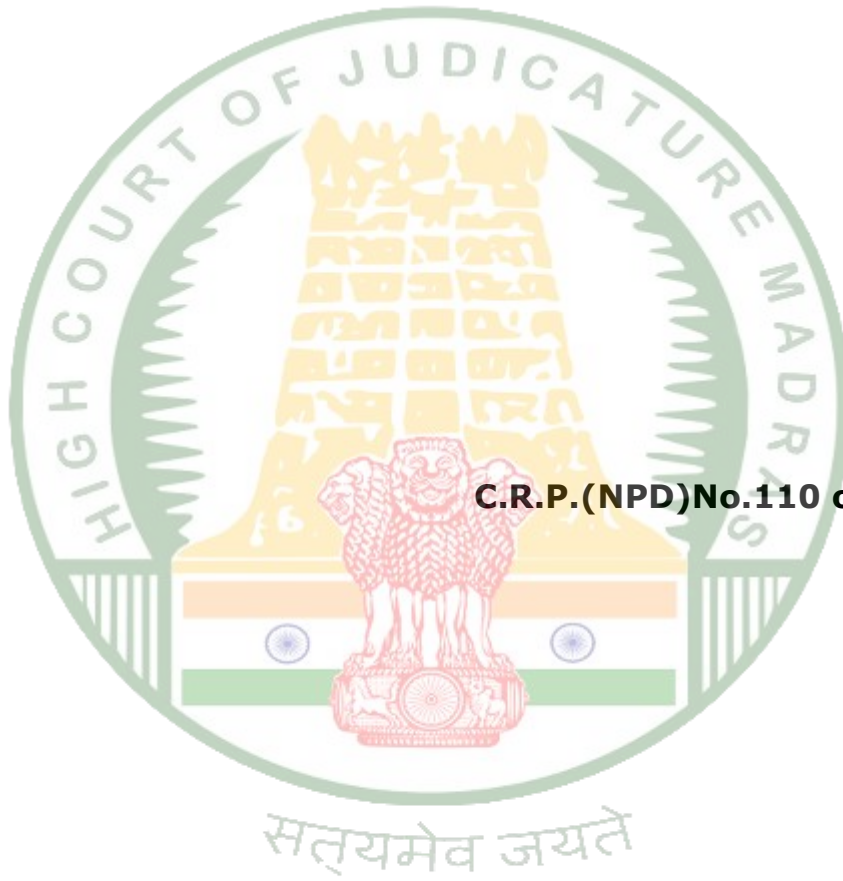
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To

The Additional Subordinate Judge,
Salem.

P.T. ASHA, J.

jrs/ssi



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