

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 25TH DAY OF JUNE 2018

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

A.No.3925 of 2018
in
A.No.1052 of 2016
in
E.P.No.111 of 2016

Mr.Mukan Chand Bothra
S/o.Late Srichand Bothra
No.44, Veerappan Street
Sowcarpet, Chennai - 600 079
Rep.by its POA M.Gagan Bothra

...Applicant/Applicant/Decree Holder

-Vs-

1.Mr.Jhaveri Lal
S/o.Late Poppatlal Mehta

2.Mr.Bhisma
S/o.Late Poppatlal Mehta

3.Mr.Rattan
S/o.Late Poppatlal Mehta
Allot No.19, C.P.Ramaswamy Road
Alwarpet, Chennai - 600 018.

4.Mr.Pawan M.Kothari
S/o.Mr.I.Manakchand Kothari
No.22, Pidariar Koil Street
Chennai 600 001

...Respondents/Judgment Debtors

(4th Respondent impleaded as per Order
Dt.06.03.2018 passed in A.1295 of 2018)

Application praying that this Hon'ble Court be pleased to
direct the jurisdictional police mentioned in the schedule of

this petition to implement/enforce the order dated 24.11.2016 passed in A.No.1052 of 2016 in E.P.No.111 of 2016.

This Application coming on this day before this Court for hearing the court made the following order:

This application has been filed for grant of police protection to enforce the order passed by the learned Master in O.A.No.1052 of 2016. It appears that the learned Master has passed an injunction order in the Execution proceedings, directing the respondents not to put up any construction on the B Schedule property as mentioned in the decree obtained in C.S.No.703 of 2003 pending disposal of the above E.P.No.111 of 2016.

2.The respondents have also filed an application to set aside the interim injunction order in O.A.No.1052 of 2016, which is pending before the learned Master.

3.Now, this application has been filed before this Court seeking police protection to enforce the order dated 24.11.2016 passed in O.A.No.105 of 2016. I am of the view, since the injunction passed by the learned Master itself is under challenge by way of filing an application to set aside the order of injunction, then, it is for the Learned Master to take appropriate decision in this matter expeditiously within one month from the date of the decree.

4.The learned Master shall decide the application on merits and also taking into consideration of the fact that the original Execution Petition has been filed for enforcing a money decree.

5.With the above observation, these applications are closed. The learned Master is directed to dispose of the connected pending matters in the above E.P.No.111 of 2016 within one month.

Sd/.N.S.K.J.

25.06.2018

//Certified to be a true copy//

Dated this the th day of 2019.

DL/13.02.2019

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.