



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (MD) (NPD) No.2052 of 2016andC.M.P. (MD) .Nos.9643 and 11379 of 2016

Mrs.Anaglit Ammal

... Petitioner/2nd Respondent/
2nd Defendant

Vs.

1. Tamil Nadu Electricity Board,
represented by its Superintending Engineer,
Tuticorin Electricity Distribution Circle,
Tuticorin. ...Respondent/Petitioner/Plaintiff

2. The Manager,
Tamil Nadu Fisheries Development Corporation,
Tuticorin. ... Respondent/1st Respondent/1st Defendant

Prayer: The Civil Revision Petition is filed under Article 227 of the Constitution of India against the order passed in E.P.No.45 of 2014 in O.S.No.13 of 2007 on the file of the I Additional District Judge, Tuticorin dated 19.01.2016.

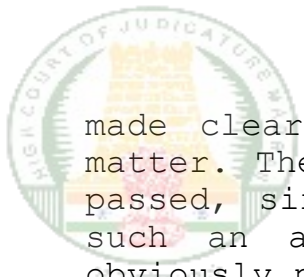
For Petitioner : Mr.Ananth C.Rajesh
For Respondents : No appearance

O R D E R

The revision petitioner suffered a decree in O.S.No.13 of 2007 on the file of the I Additional District Judge, Tuticorin / Fast Track Court No.I, Tuticorin. To execute the same, the plaintiff in the suit viz., Tamil Nadu Electricity Board filed E.P.No.45 of 2014. The levying of the execution proceedings is challenged in the civil revision petition.

2. When the matter was taken up for hearing, the learned counsel appearing for the revision petitioner submitted that the revision petitioner has filed E.A.No.5 of 2018, questioning the very executability of the decree.

3. Taking note of the said submission, this Court directs the Court below to dispose of the E.A.No.5 of 2018, on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order. Till the said E.A.No.5 of 2018 is disposed of, the execution proceedings will be put on hold. It is



made clear that this Court has nor gone into the merits of the matter. The direction to keep the E.P.No.45 of 2014 in abeyance is passed, since the executability of the decree is questioned. When such an application is pending, the execution proceedings can obviously not go on.

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4. With these directions, the Civil Revision Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar (CS-IV)

To
The I Additional District Judge,
Tuticorin.

Copy To:

The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai. **(2 copies)**

+1 cc to MR.ANANTH C.RAJESH, ADVOCATE IN SR.NO.85234.

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and
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