

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2019

C O R A M

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

C.R.P.(NPD)No.2329 of 2019

R.Subbulakshmi

... Petitioner

Vs.

C.Chellammal

... Respondent

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India against the order dated 04.09.2018 passed in E.P.No.15 of 2015 in O.S.No.169 of 2008 on the file of the Additional Subordinate Judge, Chengalpattu.

For Petitioner

: Mr.S.Kumaresan

ORDER

The petitioner is the plaintiff in the suit for specific performance. Originally the plaintiff/decreed holder initiated proceedings before the District Court, Thiruvallur. On certain allegation, the suit in OS.No.169 of 2008 was transferred to District Court, Chengalpattu, where, the petitioner obtained a decree. For executing of decree, the petitioner filed an Execution Petition in E.P.No.15 of 2015 before District Court, Chengalpattu, which was dismissed with an observation that it has no

territorial jurisdiction, as the suit schedule properties are lying within the jurisdiction of District Court, Tiruvallur. Since the District Court does not have territorial jurisdiction, to execute the decree the proper course available to the petitioner is to get the decree transmitted from Chengalpattu to Competent Court at Thiruvallur, within whose jurisdiction the properties lies. I do not find any infirmity in the order passed by the trial Court.

2. Accordingly, the Civil Revision Petition is dismissed with the above observation. It is open to the petitioner to file an Execution petition before the District Court, Thiruvallur, to get delivery of possession. No costs.

19.07.2019

bri

Index:Yes/No

Internet:Yes/No

Speaking Order/Non Speaking Order

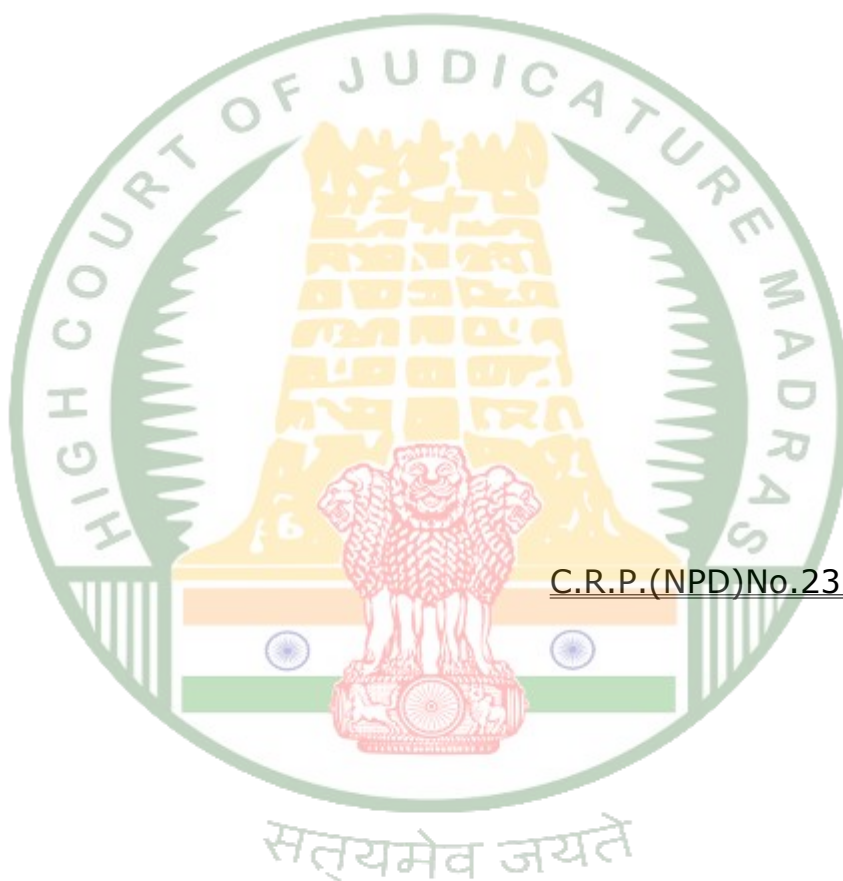
To

1. The District Court,
Chengalpattu.

2. The Judge,
District Court,
Thiruvallur.

M. GOVINDARAJ, J.

bri



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