

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.04.2019

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P.(NPD).No.1566 of 2019

N. Govindasamy

... Petitioner

Vs

1.The Managing Director,
TASMAC, C.M.D.A., Tower-II,
IV Floor, Gandhi Ervin Bridge Road,
Egmore,
Chennai-600 008.

2.S. Manoharan
3.K.Venkatesan

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India against the order dated 12.04.2019 in E.A.No.25 of 2019 in E.P.No.228 of 2019 in R.C.O.P.No.723 of 2013 on the file of the learned XV Judge, Small Causes Court, Chennai.

For Petitioner : Mr.G. Jayachandran

ORDER

The above Civil Revision Petition is filed challenging the order of the learned XV Judge, Small Causes Court, Chennai, in directing notice in the advance hearing petition filed by the Decree Holder in E.A.No.25 of 2019. This advance hearing petition has been filed only on account of the fact that the order dated 03.04.2019 passed by the learned XV Judge, Small Causes Court, Chennai, directing delivery of possession could not be complied since the Bailiff was prevented from effecting delivery and a law and order situation had cropped up. The Bailiff has also endorsed and given his report of the above and sought for police aid. The tenant, who is sought to be evicted, is the 1st respondent, running a TASMAL outlet in the suit schedule property. The learned Judge, by ordering notice in the advance hearing petition, has practically negated his own order passed on 03.04.2019, wherein the Court has clearly held that there is no impediment for delivery of the order and had directed delivery by 03.06.2019.

2. Therefore, the learned Judge is directed to forthwith take up E.P.No.228 of 2019 and pass orders for police aid as well as break open if required.

This Civil Revision petition is disposed of. No costs.

25.04.2019

Index : Yes/No
Internet : Yes/No
mps

Note to office:
Issue order copy today itself

To

The XV Judge,
Small Causes Court,
Chennai.

सत्यमेव जयते
WEB COPY

P.T. ASHA, J,

mps



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