



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2019

CORAM

THE HON'BLE MR.JUSTICE **S.S.SUNDAR**

C.R.P(PD) (MD)No.1733 of 2011

and

M.P. (MD)No.2 of 2011

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1.Muthiah

2.Selvaraj

: Petitioners/Respondents/Respondents

(Judgment Debtor)

.. Vs ..

1.M.Chollamadan

2.C.Esakkiammal

: Respondents/Petitioners/Petitioners

(Decree holder)

PRAYER: Civil Revision Petition filed under Section 115 of the Civil Procedure Code, praying to call for the records in E.P.No.18 of 2011 in M.C.O.P.No.1259 of 2009, dated 04.08.2011 on the file of the Motor Accident Claims Tribunal/II Additional District Judge, Tirunelveli and to set aside the same.

For Petitioners : Mr.S.Saji Bino

For Respondents : Mrs.R.Meenakumari

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ORDER

This Civil Revision Petition is filed as against the order passed by the Executing Court directing the arrest of the petitioner by 26.08.2011.

2.This Court also granted interim stay on condition that the petitioners shall deposit a sum of Rs.1,00,000/- (Rupees One lakh only) to the credit of the execution proceedings. This matter, when appeared in the list on 16.08.2019 there was no representation for the petitioners. Though the matter was posted 'for dismissal' on 21.08.2019, at the request of the learned Counsel for the petitioners, this Civil Revision Petition was posted today under the caption "for dismissal". Even today, the learned Counsel appearing for the petitioners seeks time as he was unable to confirm whether the petitioners have complied with the condition for getting stay. The execution proceeding was initiated to execute a decree awarding compensation by the Motor Accident Claims Tribunal pursuant to the accident. This Court is unable to give further time to the revision petitioners after this length of time. The Civil Revision Petition is dismissed for non-



prosecution. No costs. Consequently, the connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

SRM

To

The Motor Accident Claims Tribunal/
II Additional District Judge, Tirunelveli.

+1 CC to M/s.S.SAJI BINO, Advocate (SR-84393[F] dated
30/08/2019)

C.R.P (PD) (MD) No.1733 of 2011
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_KM/ (17.09.2019) 2P 3C