



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 12.04.2019

CORAM

THE HONOURABLE MRS. JUSTICE R. THARANI

C.R.P. (PD) (MD) No.2023 of 2016

and

C.M.P. (MD) No.9521 of 2016

WEB COPY

The Divisional Engineer (Administration),
District Telecom Office,
District Manager,
Tirunelveli-627 003.

.. Petitioner/2nd Respondent/2nd Respondent

Vs.

1.Rajamani

2.Vasanthi

.. Respondents/Petitioners/LR's of the
Deceased Claimant

3.The Revenue Divisional Officer,
Tirunelveli.

.. Respondent/1st Respondent/ 1st Respondent

4.Amalgamated as Bharath Sanchar Nigam,
Limited, through its Divisional Engineer,
Tirunelveli-3.

.. Respondent/3rd Respondent/3rd Respondent

Prayer : This Civil revision petition is filed under Article 227 of the Constitution of India, to set aside the fair and decretal order dated 23.09.2016 in E.P.No.30 of 2016 in L.A.O.P.No.111 of 2000 on the file of the Principal Sub Court, Tirunelveli.

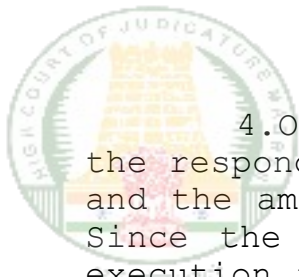
For Petitioner	: Mr.A.Haja Mohideen
For Respondents 1 and 2	: Mr.H.Arumugam
For Respondents 3 and 4	: No Appearance

ORDER

Heard Mr.A.Haja Mohideen, learned counsel appearing for the petitioner and Mr.H.Arumugam, learned counsel appearing for the respondents 1 and 2.

2.This Civil Revision Petition is filed against the order passed in E.P.No.30 of 2016 in L.A.O.P.No.111 of 2000 dated 23.09.2016 on the file of the learned Principal Sub Judge, Tirunelveli.

3.On the side of the petitioner, it is stated that the petitioner is ready to pay the amount due for the respondents within the time frame fixed by this Court and prayed the impugned order to be set aside.



4. On the side of the respondents 1 and 2, it is stated that the respondents 1 and 2 are the legal heirs of the deceased claimant and the amount due is compensation for the acquisition of the land. Since the amount was not paid, the respondents 1 and 2 filed an execution petition and that after the payment of the award amount, interest is due to be paid. The trial Court has passed an order of attachment in the E.P. proceedings and prayed that this petition to be dismissed.

5. A perusal of the records reveals that the respondents 1 and 2 are the legal heirs of the deceased and there is some interest pending payment in L.A.O.P.No.111 of 2000. It is seen that the respondents 1 and 2 filed E.P.No.30 of 2016 and the trial Court has passed an order of attachment of the movables in the office of the revision petitioners and in the office of the Revenue Divisional Officer, Tirunelveli. The petitioner being the beneficiary came forward with this revision petition. It is the duty of the petitioner to pay the award amount as per the order passed in L.A.O.P.No.111 of 2000. When the matter was taken up today, the learned counsel for the petitioner has stated that if sufficient time is granted, the petitioner is ready to settle the amount which is due for the respondents 1 and 2. Hence, a period of four months is granted from the date of receipt of copy of this order to the petitioner to settle the amount failing which the respondents 1 and 2 are at liberty to proceed with the E.P petition.

6. With the above direction, this Civil Revision Petition is disposed of and the order in E.P.No.30 of 2016 in L.A.O.P.No.111 of 2000 dated 23.09.2016 on the file of the learned Principal Sub Judge, Tirunelveli is kept in abeyance for a period of four months from the date of receipt of copy of this order. No Costs. Consequently, C.M.P. (MD) No.9521 of 2016 is closed.

Sd/-

Assistant Registrar (C.O)

// True Copy //

Sub Assistant Registrar (CS)

To
The Principal Sub Judge, Tirunelveli.

+1 CC to M/s.A.HAJA MOHIDHEEN, Advocate SR-60956.
+1 CC to M/s.H.ARUMUGAM, Advocate SR-61086.

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12.04.2019

CS: (04/06/2019) 2P 4C