



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.10.2021

CORAM

THE HON'BLE Mr.JUSTICE G.CHANDRASEKHARAN

C.R.P.Nos.2290 to 2292, 2298 & 2306 of 2021
and

C.M.P.Nos.17334, 17335, 17376, 17491, 17324 of 2021

C.R.P.No's.2290 to 2292, 2298 & 2306 of 2021

Executive Engineer & ADO,
Tamil Nadu Housing Board,
Villupuram Housing Unit.

... Petitioner in all CRP's

-Vs.-

1.R.Jeyabal,
S/o.Ramanuja Gounder,
Kilperumbakka,
Villupuram.

2.The Special Tahsildar,
Cuddalore.

... Respondent in all CRP's

Prayer in C.R.P.Nos.2290 to 2292, 2298 & 2306 of 2021: Petition filed under Section 115 of Civil Procedure Code, 1908 to set aside the Petition and Order dated 09.09.2021 (impugned order) made in E.P.Nos.147, 150, 149, 146 & 148 of 2012 in L.A.O.P.Nos.90, 115, 110, 72 & 92 of 1996 by the learned Principal Sub Judge, Villupuram.

For Petitioner : Mr.S.Silambanan,
Additional Advocate General
for M/s.R.Gouri
in all CRP's

For Respondent : Mr.C.Munusamy (for R1)
in all CRP's



COMMON ORDER

These matters are related to the order passed by the learned Principal Sub Judge, Villupuram with regard to payment of compensation amount in LAOP cases.

2.Learned counsel for the Petitioner submitted that unfortunately Petitioner has not filed counter in the Execution Petition. There is difference of opinion with regard to amount claimed by the Decree holder and the amount paid by the Judgment Debtor viz., Petitioner.

3.Learned counsel appearing for both the parties prayed for remanding the matter to the learned Principal Sub Judge, Villupuram, for filing counter in the Execution Petition and prayed for a direction to dispose of the matters, after hearing both the parties on merits and in accordance with law.

4.Recording the above said submissions made by the learned counsel for the parties, these matters are remanded to the learned Principal Sub Judge, Villupuram, with the directions to give an opportunity to the Petitioner to file counter affidavit in the Execution Petition, hear the parties and pass orders in accordance with law. Since the matters relate to the year 1996, the learned Principal Sub Judge, Villupuram, is directed to dispose of the Petitions within a period of one month from the date of receipt of a copy of this order.

5.Accordingly, the Civil Revision petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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