



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.10.2021

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CRP (NPD) (MD) No.2076 of 2012

and MP(MD) No.1 of 2012

WEB COPY

1. The State of Rep.by
The District Collector
Collectorate Building
Trichy District
2. The Sub Collector
Sub Collector Office
Musiri, Trichy District
3. The Tahsildhar
Taluk Office
Musiri, Trichy District
4. The Block Development Officer
Union Office
Thathayangarpetti, Musiri Taluk
Trichy District
5. The Assistant Director
Office of the Assistant Director of Panchayat
Trichy

... Petitioners/Petitioners/Judgment Debtors

vs

1. Pushpanathan
2. Arasan

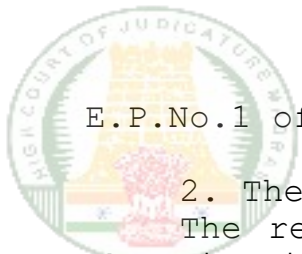
... Respondents/Respondents/Decree holder

Prayer: Civil Revision Petition filed under Section 115 of the Code of Civil Procedure to set aside the fair and decreetal order dated 27.08.2012 made in E.A.No.184 of 2011 in E.P.No.1 of 2005 on the file of the District Munsif, Trichy.

For Petitioners	:	Mr.R. Baskaran Additional Advocate General Assisted by Mr.A.Baskarana, Government Advocate
For Respondents	:	Mr.K. Govindarajan

O R D E R

This revision has been filed to set aside the fair and decreetal order dated 27.08.2012 made in E.A.No.184 of 2011 in
<https://hcservices.ecourts.gov.in/hcservices/>



E.P.No.1 of 2005 on the file of the District Munsif, Trichy.

2. The brief facts of the case are as follows:-

The respondents have filed O.S. No.287 of 1999 on the file of the District Munsif Court, Trichy seeking for relief of mandatory injunction. The suit came to be decreed on 10.12.2002. As per the decree, mandatory injunction was granted and the first defendant was directed to remove the building constructed by the 6th defendant within two months and the first defendant was directed to recover the amount from the sixth defendant for the building and to pay a cost of Rs.500/-. Against the judgment and decree, the revision petitioners/defendants filed A.S. No.19 of 2003 on the file of the Sub Court, Trichy and the appellate Court modified the decree partly on 05.10.2004. The petitioners have filed E.P.No.1 of 2005 seeking to enforce the decree in the E.P. The sixth petitioner/sixth defendant had filed counter stating that steps were taken to comply with the decree. Whiles, the first petitioner had filed E.A.No.184 of 2011 contending that decree was inexecutable. The Executing Court finding that the first petitioner having submitted in the counter that steps are taken to comply with the decree cannot take a different stand had dismissed the E.A, against which the present Civil Revision Petition has been filed.

3.Today, when the matter is taken up for hearing, the Tahsildhar, Musiri has filed a memo stating that the petitioners/defendants have complied with the decree and the keys of the premises in S.No.672/31 have been handed over to the first respondent/Pushpanathan, who is the petitioner in E.P.No.1 of 2005 on the file of the learned District Munsif, Trichy.

4. In view of the handing over of the premises to the first respondent and submitting to the decree in E.P.No.1 of 2005 on the file of the District Munsif, Trichy, nothing survives for further adjudication, hence the Civil Revision Petition stands closed and the E.P.No.1 of 2005 on the file of the learned District Munsif, Trichy stands terminated. It is made clear that the respondent shall not use the premises other than what it is claimed for in the suit. No costs. Consequently connected miscellaneous petition is also closed.

Sd/-

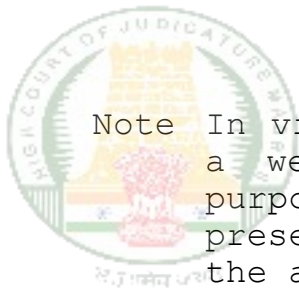
Assistant Registrar (AD-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

To

The District Munsif, Trichy

Copy to

The Section Officer, V.R.Section(2C)
Madurai Bench of Madras High Court,
Madurai

+1 CC to M/s.K.GOVINDARAJAN, Advocate (SR-32540[F] dated 26/10/2021

+1 CC to M/s.SPL.GP (SR-32555[F] dated 26/10/2021)

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and

MP (MD) No.1 of 2012
25.10.2021

PK (CO)

KB (12.11.2021) 3P 6C