



WEB COPY



A.No.513 of 2022

A.No.513 of 2022
in E.P.No.70 of 2021

SENTHILKUMAR RAMAMOORTHY, J.

Although the Judgment Debtors undertook that an ad hoc payment of Rs.2 Crores would be made on 29.04.2022, it is stated that the Judgment Debtors could not mobilise the necessary funds. Therefore, the Decree Holder seeks orders in A.No.513 of 2022. A.No.513 of 2022 has been filed by the Decree Holder for appointment of an Advocate Commissioner to inspect the suit schedule property and undertake all actions necessary for purposes of bringing the said property for sale.

2. The applicant / decree holder seeks to enforce a decree for a sum of Rs.26,75,84,725.26/-. The said decree was issued on 04.12.2019. After reckoning interest on the decretal amount, the decree holder asserts that a sum of Rs.28,93,42,458.26/- is due and payable by the Judgment Debtors. As regards the suit schedule property, an order of attachment was passed on 21.12.2021. It is stated that the suit property ad measures 3 acres and that it is necessary to identify, survey and measure the property before the said property is brought to sale. The present application is filed for the said purpose.

2. The Judgment Debtors submit that they are still endeavouring to mobilise funds to settle the decree holder. If the present application is taken up, it will not in any manner impede the Judgment Debtors from settling the dispute with the decree holders. On the other hand, some progress would be made with regard to the sale of the property.



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3. Accordingly, Mr.P.Ravishankar, Advocate, No.2, Pillayar Koil Street, Poonamallee, Chennai 56 (Mobile No.9841070764) is appointed as Commissioner to identify and inspect the property described as Item Nos.1 and 2 in the schedule to the Judge's summons and to take necessary action such as survey and measurement of the said property. The Advocate Commissioner shall undertake the above after providing reasonable notice to all the parties so as to enable their presence. The Advocate Commissioner is directed to submit a report on 07.07.2022. The applicant is directed to pay a sum of Rs.50,000/- as initial remuneration to the Advocate Commissioner. The Registry is directed to hand over the warrant to the Advocate Commissioner on or before 15.06.2022. The Advocate Commissioner is directed to co-ordinate with the Revenue Officials for the purpose of executing the warrant.

4. List the matter on 07.07.2022.

09.06.2022

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