



C.R.P(NPD).No.2599 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2022

CORAM :

THE HONOURABLE MS. JUSTICE R.N.MANJULA

C.R.P.(NPD).No.2599 of 2022
and C.M.P.No.13359 of 2022

1.The Special Tahsildar (Land Acquisition),
Nallathangal Oodai Neertheekka Thittam,
Dharapuram.

2.The Revenue Divisional Officer,
Dharapuram.

3.The Executive Engineer (PWD),
Amaravathi Basin Division,
Dharapuram.

4.The District Collector,
Thiruppur District,
Thiruppur.

...Petitioners

..Vs.

1.Sellappa Gounder
Rakkathal (died)

2.Karuppasamy

3.Thiyagarajan

4.Jeyenthi

5.Sellathaal

...Respondents



C.R.P(NPD).No.2599 of 2022

Prayer:- Civil Revision Petition is filed under Article 227 of the Constitution of India, against the docket attachment order dated 30.11.2021 and auction sale order dated 05.05.2022 made in E.P.No.108 of 2019 in L.A.O.P.No.1 of 2012 on the file of the Subordinate Judge (LAOP), Dharapuram.

For Petitioners : Mr.E.Vijayanand,
Additional Government Pleader.

For Respondents : Dr.S.K.Kharventhan,
Assisted by Mr.N.Ponraj.

ORDER

This Civil Revision Petition has been preferred challenging the docket attachment order dated 30.11.2021 and auction sale order dated 05.05.2022 made in E.P.No.108 of 2019 in L.A.O.P.No.1 of 2012 by the learned Subordinate Judge (LAOP), Dharapuram.

2.Heard the learned counsel for the petitioners as well as the learned counsel for the respondents and perused the entire materials available on record.



C.R.P(NPD).No.2599 of 2022

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3.The revision petitioners are the referring officers in L.A.O.P.No.1 of 2012. The respondents are the claimants. The award was passed on 12.03.2018. Subsequently, the respondents initiated execution proceedings in E.P.No.108 of 2019 to recover the award amount. The mode of recovery was sought under Order XXI Rule 11(2) of the CPC by attaching the properties belonging to the Government of Tamil Nadu and bringing it for Court auction. In the said execution proceedings, the Executing Court, on 30.11.2021 has passed an order of attachment. Aggrieved over the same, the Government/revision petitioners have preferred the present Civil Revision Petition.

4.The learned counsel appearing for the petitioners and the respondents admitted that the issue involved in this Civil Revision Petition is covered by a decision of this Court dated 19.07.2022 passed in C.R.P.NPD.No.2045 of 2022, wherein this Court set aside the attachment order and the consequential order of auction sale on a condition that the revision petitioners shall deposit 50% of the decree amount within a



C.R.P(NPD).No.2599 of 2022

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period of two months from the date of receipt of the order copy, failing which, the benefit of that order would be forfeited.

5.Accordingly, the present Civil Revision Petition is disposed of in the same terms as in the above said order dated 19.07.2022 in C.R.P.NPD.No.2045 of 2022. No costs. Consequently, connected Miscellaneous Petition is closed.

17.08.2022

vk
Index:Yes No
Speaking Order:Yes/No

To

- 1.The Subordinate Judge (LAOP), Dharapuram.
- 2.The Section Officer,
VR Section, Madras High Court, Chennai.

R.N.MANJULA,J.

4/5



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C.R.P(NPD).No.2599 of 2022

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C.R.P.(NPD).No.2599 of 2022
and C.M.P.No.13359 of 2022

17.08.2022