



C.R.P.Nos.620 and 621 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.03.2023

CORAM :

THE HON'BLE MR. JUSTICE SATHI KUMAR SUKUMARA KURUP

C.R.P.Nos.620 and 621 of 2023

and

C.M.P.Nos.4916 & 4919 of 2023

C.Sekar : Petitioner/Judgment Debtor/Defendant

Vs.

Indirani : Respondent /Decree Holder/Petitioner

COMMON PRAYER: Civil Revision Petitions filed under Article 227 of Constitution of India, praying to set aside the Docket order issued in E.A.Nos.3 and 2 of 2022 in E.P.No.401 of 2022 in R.C.O.P.No.391 of 2010 on the file of the learned XVI Judge, Small Causes Court, Chennai, dated 16.02.2023.

For Petitioner : Mr.R.Prabhakaran

COMMON ORDER

These Civil Revision Petitions have been filed seeking to set aside the order dated 16.02.2023 passed in E.A.Nos.3 and 2 of 2022 in E.P.No.401 of 2022 in R.C.O.P.No.391 of 2010 by the learned XVI Judge, Small Causes Court, Chennai, granting police aid for the bailiff to execute the warrant.



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2.It is the contention of the learned Counsel appearing for the Revision Petitioner that the Revision Petitioner had been paying the rent regularly but by mistake the order of the learned Rent Controller claims that there were arrears of rent for the past ten years.

3.On perusal of the order passed by the learned XVI Judge, Court of Small Causes in E.A.Nos.2 and 3 of 2022 in E.P.No.401 of 2022 in RCOP No.381 of 2010, the learned Judge had observed that delivery was ordered in E.P.No.401 of 2022 but the Bailiff was unable to execute the delivery warrant because of the threat posed on him. Based on the Bailiff report, the learned XVI Judge, Court of Small Causes had ordered police protection and break open the lock. Therefore, the orders have been passed in the two Execution Applications. This Court does not find any infirmity or irregularity in the order passed by the learned XVI Judge, Court of Small Causes, Chennai in E.A.Nos.2 and 3 of 2022 in E.P.No.401 of 2022 in R.C.O.P.No.391 of 2010 dated 16.02.2023.



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In the result, both these **Civil Revision Petitions are dismissed.** No costs. Consequently, the connected civil miscellaneous petitions are closed.

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srm

Index: Yes/No

Internet: Yes/No

Speaking Order/Non-speaking Order

To

1.The XVI Judge,
Court of Small Causes,
Chennai.

2.The Section Officer,
V.R.Section,
High Court,
Madras.



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SATHI KUMAR SUKUMARA KURUP, J.

SRM

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