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CRP No.1030 and 1031 of 2023

COMMON ORDER

These Civil Revision Petitions have been filed to set aside the fair and decreetal order dated 14.03.2023, passed in E.A No. 3 and 4 of 2023 in E.P No.3457 of 2019 in O.S No. 3754 of 2013 on the file of XXVII Assistant City Civil Court, Chennai.

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

The petitioner herein is the Judgment debtor in O.S No. 3754 of 2013 on the file of the XVI Additional Judge, City Civil Court, Chennai. Respondents herein are judgment holder after getting decree in O.S No. 3754 of 2013 filed E.P No. 3457 of 2019 to deliver vacant possession of B mentioned property to the decree holders after removing unauthorized super structure put by the petitioner herein. In the said execution petition the petitioner remain exparte and ordered for delivery of possession. While so, the petitioner herein filed E.A No. 1 and 2 of 2023 for the relief of police assistance and break open the lock and the petitions were allowed on 23.01.2023. Subsequently, against the order in E.P No. 3457 of 2019 the petitioner herein filed E.A No.3 and 4 of 2023. In the meanwhile, the petitioner herein filed A.S No. 331 of 2019 before this Court against the judgment in O.S No. 3754 of 2013 and the same was dismissed.



Thereafter the petitioner filed SLP before the Supreme Court in Diary No. 42503 of 2022 and the same was dismissed on 13.01.2023.

3. Challenging, the impugned order in E.A No. 3 and 4 of 2023 in E.P No. 3457 of 2019 in O.S No. 3754 of 2013 the petitioner/judgment debtor filed this petition.

4. Heard the learned counsel for the petitioner.

5. On perusal of records, it is seen that the suit was decreed in favour of the respondents and the same confirmed by the Supreme Court. Furthermore, the petitioner has not properly followed the execution proceedings, without which now the petitioner claiming that execution Court passed order arbitrarily is not acceptable one.

6. Accordingly these Civil Revision Petitions are dismissed. No costs. Consequently connected miscellaneous petition is closed.

30.03.2023

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T.V.THAMILSELVI, J.
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