



WEB COPY



CRP.No.4336 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:17.04.2024

CORAM

THE HONOURABLE Mr. JUSTICE P.DHANABAL

CRP.No.4336 of 2022

B.Parasmal Muthu (deceased)

- 1.Chiranjilal Jain
- 2.Vimalchand Jain
- 3.Shreepaul Jain
- 4.Vinodkumar Jain
- 5.Bhadi Bai
- 6.P.Kanthilal

...Petitioners

(to recognize the 6th petitioner as power agent of petitioners 1 to 5 vide Court order dated 01.11.2022 made in CMP.No.16232 of 2022 in CRP.SR.No.28924 of 2015 by SSJ)

(cause title accepted vide Court order dated 15.11.2022 made in CMP.No.16234 of 2022 in CRP.SR.No.28924 of 2015 by SSJ)

Vs

The Sub Collector (Revenue)
Land Acquisition,
Pondicherry.

...Respondent

PRAYER: Civil Revision Petition is filed under section 227 of the Constitution of India, to set aside the order dated 10.10.2014 passed in E.P.No.14 of 2006 in LAOP. No.129 of 1987 on the file of the III Additional District Judge, Pondicherry.

For Petitioners :Mr.K.Shakespeare

For Respondent :Mr.P.S.Kothandaraman

Government Advocate (Pondicherry)



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ORDER

When the matter was taken up for hearing today, the learned counsel for the petitioners would contend that the Executing Court has not properly appreciated the calculation memo filed by the petitioners and there are difference between the calculation memo filed by the Government Advocate and the petitioners. Therefore, the order passed by the trial Court is liable to be set aside.

2. The learned Government Advocate appearing for the respondent would submit that the matter may be remanded back to the Executing Court for arriving fresh calculation and the matter may be disposed of by the trial Court after giving opportunity to both sides by filing fresh calculation memo.

3. Recording the said submissions, the order passed by the Executing Court in E.P.No.14 of 2006 is set aside and the matter is remanded back to the Executing Court for fresh consideration. Both parties are directed to file calculation memo. The Executing Court is directed to dispose of the case within a period of two months from the date of receipt of a copy of this order. No costs.

17.04.2024

Index : Yes/No



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Speaking order/non-speaking order
mpa

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To
The III Additional District Judge, Pondicherry.



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P.DHANABAL, J.,

mpa

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