



CRP(MD)No.820 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 28.03.2024

CORAM :

THE HON'BLE MR JUSTICE G.ILANGO VAN

CRP(MD).No.820 of 2024 and
CMP(MD).No. 4587 of 2024

Jancy Rani

.. Petitioner

Vs.

1.T.Azhgurathi

**2.The President,
Kayamozhi Panchayat,
Kayamozhi.**

**3.The Commissioner,
Thiruchendur Panchayat Union,
Thiruchendur.**

**4.Government of Tamil Nadu,
Through the District Collector,
Thoothukudi.**

... Respondents

PRAYER:- Petition filed under Article 227 of the Constitution of India against the order, dated 11.12.2023 passed in E.P.No.15 of 2021 in O.S.No. 95 of 2017 on the file of the Sub Court, Thiruchendur.

For Petitioner : Mr.M. Saravanan

For 4th respondent : Mr.J.Ashok

Additional Government Pleader



CRP(MD)No.820 of 2024

ORDER

WEB COPY

This revision petition has been filed against the fair and decretal order, dated 11.12.2023 passed in E.P.No.15 of 2021 in O.S.No. 95 of 2017 on the file of the Sub Court, Thiruchendur.

2. Suit in O.S.No.95 of 2017 was decreed in favour of the respondent as prayed for in the plaint. Against which, appeal has to be presented by the revision petitioner before the appellate Court within the time stipulated. But there is a delay of 457 days in preferring the appeal. To condone the delay I.A.No.2 of 2021 has been filed before the learned Principal District Judge, Tuticorin, in the year 2021 itself. Pending the above said interlocutory application before the appellate Court, delivery was ordered by the Executing Court with police protection. Against which this revision has been preferred.

3. There no stay order has been passed by the appellate Court in I.A.No.2 of 2021. The reason for the pendency of the above said application for three years is not known. Because of the delay in disposal of the above said application only, the Executing Court has passed an order of delivery.



CRP(MD)No.820 of 2024

4. The learned counsel for the revision petitioner would submit that already this Court passed an order, dated 19.03.2024 in CRP(MD).No.732 of 2024, directing the learned Principal District Judge, Tuticorin, to dispose of the above said I.A.No.2 of 2021, within a period of fifteen days from the date of receipt of a copy of that order.

5. The Trial Court is directed to comply the earlier order passed by this Court in CRP(MD).No.732 of 2024, 19.03.2024. Depending upon the outcome of the above said application, further proceedings shall be taken by the Executing Court.

5. With the above said directions, this civil revision petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

28.03.2024

Internet : Yes / No

Index : Yes / No

trp

To

The Sub Court, Thiruchendur.



WEB COPY



CRP(MD)No.820 of 2024

G.ILANGOVA,N,J.

Trp

CRP(MD).No.820 of 2024 and
CMP(MD).No. 4587 of 2024

28.03.2024