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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-11-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

CRP No. 4807 of 2026
C.M.P.No.21007 of 2026
CNR: {HCMA011697812026}

The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
Villupuram.

Case QR

..Petitioner(s)

Vs

1. Thandapani
2. Amutha

..Respondent(s)

Prayer:- Civil Revision Petition filed under Article 227 of the Constitution of India, pleased to Set-aside Docket order in E.P.No.212 of 2022 in M.C.O.P.No.17 of 2007 before the MACT, Additional Sub ordinate Judge, Tindivanam, dated on 22.06.2026 and allow this Revision Petition.

For Petitioner(s): Mr.S.S.Santhosakumar
For Respondent(s): Mr.T.Ganesh

ORDER

The Civil Revision Petition has been filed challenging the order passed by the Executing Court ordering attachment of the immovables belonging to the petitioner as described in the schedule to the Execution Petition.

2.It is not in dispute that respondents obtained an award from Motor Accident Claims Tribunal in M.A.C.T.O.P.No.17 of 2007 on the file of MACT, Additional Sub Court, Tindivanam. The award was passed in favour of the respondents on 05.04.2011 by directing the petitioner to pay a sum of

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Rs.2,50,000/- together with costs. Since the award amount has not been paid by the petitioner, respondents filed Execution Petition for attachment of the bus belonging to the petitioner / Corporation. Inspite of several opportunities the petitioner failed to pay substantiate portion of the award amount before the Executing Court. By the impugned order, the Executing Court ordered attachment of the bus. Aggrieved by the same, the petitioner has come before this Court.

3.The learned counsel for the petitioner would submit that attachment of the property of the petitioner / Corporation will not serve any purpose as it would fetch only the scrap value of the bus. The learned counsel also submitted that the Executing Court ought to have granted some more time for the petitioner to pay the award amount.

4.It is seen from the typed set of papers that the award was passed as early as 2007 and the petitioner failed to honour the award for nearly fifteen years. In fact Execution Petition was filed by the respondents in the year 2022 and the petitioner dragged on the Execution Petition for four years without making any substantial payment. Therefore, the submission made by the learned counsel for the petitioner that the Executing Court has not given any sufficient time to make payment is not acceptable to this Court.

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5.It is also seen from the records when the matter came up for hearing on 13.11.2026, the learned counsel for the petitioner submitted that petitioner would pay the entire balance outstanding EP amount within a period of six weeks. He also under took to file an undertaking affidavit to that effect. After recording the same, this Court directed the Registry to post the matter under the caption “For Orders” on 17.11.2026. However, the petitioner failed to file any undertaking affidavit as per the earlier representation made by it on 13.11.2026. When the petitioner failed to pay the award amount for nearly fifteen years and dragged on the Execution Petition for nearly four years that too in an accident victim’s case absolutely there is no justification on the part of the petitioner in assailing the order of attachment passed by the Executing Court. I do not find any material irregularity or serious illegality in the order passed by the Executing Court. Accordingly, the Civil Revision Petition stands dismissed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

17-11-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

EP
To:-
MACT, Additional Subordinate Judge,
Tindivanam.

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S.SOUNTHAR, J.

EP

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