

IN THE COURT OF THE DISTRICT MUNSIF, TIRUTTANI

Present : Tmt. R.D. Gurulakshmi, M.A., M.L., P.G.D.I & C.L.,

District Munsif, Tiruttani.

Dated the Friday of 12th Day of December 2025

EP.No.8 OF 2025

Gowri @ Bakktha Gowri

...

... Petitioner /Landlord/D.H

/Versus/

G.Latha

... Respondent/Tenant/J.D

This petition came up before me for final hearing on 02.12.2025 in the presence of M/s.S. Suresh, Advocate for Petitioner/Landlord/Decree Holder, M/s. N. Elavarasan, M. Elaya Pandiyan, Advocates for Respondent/Tenant/Judgment debtor, non filing of counter, respondent was set exparty. Upon hearing both side, upon perusing the records, and having stood over for consideration till this day this court delivered the following:-

ORDER

Execution petition is filed under order 21 Rule 35 & 36 of CPC to deliver the Schedule Mentioned Non-Residential Shop to the petitioner.

1. The averments of the petition in brief are as follows:-

The RCOP.No.4/2009 was decreed on 24.10.2018. The RCA.No.2/2019 was disposed on 16.08.2022. In view of the decree in RCOP.No.4/2009 and RCA.No.2/2019 the petitioner is entitled for recovery of the petition mentioned property. There is no second appeal or revision pending. Hence, this execution petition filed.

2. In spite of sufficient opportunity given, counter of Respondent not filed. Hence respondent set exparty.

3. Point for determination:

Whether the petitioner is entitled to the relief as sought for? or not?

4. Heard petitioner's side. According to petitioner, the RCOP.No.4/2009 was decreed on 24.10.2018. The RCA.No.2/2019 also disposed. In view of the decree in RCOP.No.4/2009 and RCA.No.2/2019 the petitioner entitled for the recovery of the petition mentioned property. There is no second appeal or revision

pending. Hence the petitioner prays to allow this petition.

5. The Respondent/ Judgment Debtor remained exparty for non filing of counter. The petitioner contended that appeal preferred by the respondent was already disposed. Now this petition is under execution stage. Hence, in the interest of justice this court inclined to allow this petition.

In the result, the execution is ordered. Delivery of the petition mentioned property to the petitioner with the help of Court Amin by 09.01.2026. Batta in 3 days.

Dictated to my Steno – Typist, typed by her directly in computer, corrected and pronounced by me in open court, this the 12th day of December 2025.

District Munsif,
Tiruttani.

Petitioner and Respondent side Exhibits and witness: NIL

District Munsif,
Tiruttani.