

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 2651-2652/2016

GOVINDAN

APPELLANT(S)

VERSUS

SENGODA NADAR (DIED) REPRESENTED  
BY HIS LRS. AND ANR.

RESPONDENT(S)

O R D E R

Learned counsel for the appellant submits that in a proceedings in execution, the appellant has already taken possession of the premises. Mr. Mani, learned counsel for the respondents submits that the possession taken is not the suit schedule property but some other property.

Learned counsel for the appellant asserted that it is suit schedule property. It is further submitted that since the possession of the property has been taken in execution proceedings, the respondent may not go for restitution.

If the suit schedule property has been taken possession in execution proceedings, unless the said execution proceedings are duly varied, there is no question of restitution.

In that factual matrix, it is not necessary to go into the facts of these appeals on merits.

The appeals are, accordingly, disposed of.

Pending applications, if any, shall also stand disposed of.

.....J.  
[KURIAN JOSEPH]

.....J.  
[R. BANUMATHI]

NEW DELHI  
12TH JULY, 2017

ITEM NO.104

COURT NO.6

SECTION XII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 2651-2652/2016

GOVINDAN

Appellant(s)

VERSUS

SENGODA NADAR (DIED) REPRESENTED  
BY HIS LRS. AND ANR.

Respondent(s)

Date : 12-07-2017 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH  
HON'BLE MRS. JUSTICE R. BANUMATHI

For Appellant(s) Mrs. Revathy Raghavan, AOR  
Mr. V. Parbhakar, Adv.  
Ms. Jyoti Parasher, Adv.  
Mr. Ramchandran, Adv.

For Respondent(s) Mr. K. K. Mani, AOR  
Ms. T. Archana, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

The appeals are disposed of in terms of the signed order.  
Pending applications, if any, shall also stand disposed  
of.

(SWETA DHYANI)  
SENIOR PERSONAL ASSISTANT

(RENU DIWAN)  
ASST.REGISTRAR

(Signed order is placed on the file)