

R E V I S E D

ITEM NO.8 Court 11 (Video Conferencing) 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

Petition(s) for Special Leave to Appeal (C) No(s). 16804/2021

(Arising out of impugned final judgment and order dated 03-08-2021 in CRPNPD No. 3610/2018 passed by the High Court Of Judicature At Madras)

JAYANTHI & ANR. Petitioner(s)

VERSUS

TAMIL NADU HOUSING BOARD Respondent(s)

(FOR ADMISSION and I.R. and IA No.136784/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.136783/2021-EXEMPTION FROM FILING O.T. and IA No.136786/2021-EXEMPTION FROM FILING AFFIDAVIT)

Date : 05-01-2022 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE V. RAMASUBRAMANIANFor Petitioner(s) Ms. Liz Mathew, AOR
Mr. Navneet R., Adv.For Respondent(s) Mr. V. Krishnamurthy, Sr. Adv.
Dr. Joseph Aristotle S., AOR
Ms. Preeti Singh, Adv.
Ms. Nupur Sharma, Adv.
Mr. Sanjeev Kumar Mahara, Adv.UPON hearing the counsel the Court made the following
O R D E R

After hearing the learned counsel for the parties, we find that the Civil suit was filed though not maintainable in view of the judgments of this Court reported as (1995) 4 SCC 229; (1996) 7 SCC 218 and (2011)14 SCC 713. The Civil Court was approached after the writ petitions filed by the Petitioner was withdrawn. Therefore, the decree obtained from the civil court has been rightly held to be not executable. Hence, we do not find any error

in the impugned order passed by the High Court.

The Special Leave Petition is, accordingly, dismissed.

Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA)
COURT MASTER

(NIDHI BHARDWAJ)
BRANCH OFFICER

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

After hearing the learned counsel for the parties, we find that the jurisdiction of the civil court invoked by the petitioners was barred by law. Therefore, the decree obtained from the civil court is not executable. Hence, we do not find any error in the impugned order passed by the High Court.

The Special Leave Petition is, accordingly, dismissed.

Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA)
COURT MASTER

(NIDHI BHARDWAJ)
BRANCH OFFICER