



C.R.P.(MD)No.2795 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2023

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.R.P.(MD)No.2795 of 2023

Tamilnad Mercantile Bank
represented by its Branch Manager
J.Gajendran

... Petitioner/
Petitioner/
Petitioner/
Decree holder

Vs.

1. S.P.Murugesan

2. V.Vijayarajan

... Respondents/
Respondents/
Respondents/
Judgment debtors

Prayer : This Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the Docket order dated 28.08.2023 in Review Petition Filling No.5914 of 2023 in E.P.No.153 of 2016 in O.S.No.39 of 2006 on the file of the Sub Judge, Uthamapalayam and direct the learned Sub Judge to number the same by allowing this civil revision petition.

For Petitioner : Mr.K.Guhan



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judgment debtor, when the same was disputed by the decree holder. It is also not known as how and on what basis, the Executing Court directed the nationalized Bank not to insist for interest anymore.

4. Considering the above facts and circumstances and also the submission made by the learned counsel appearing for the revision petitioner, the return of the review petition made by the learned Subordinate Judge is not proper and is not in accordance with law. Hence, the learned Subordinate Judge, Uthamapalayam is hereby directed to take the review petition on file, if it is otherwise in order and to proceed in accordance with law, uninfluenced by the observation of this Court.

5. With the above direction, this Civil Revision Petition is disposed of. No costs.

01.11.2023

NCC :yes/No
Index :yes/No
Internet:yes/No
csm

Note : Registry is directed to return the original papers to the revision petitioner, after getting necessary acknowledgments.



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K.MURALI SHANKAR,J.

csn

To

1. The Subordinate Court,
Uthamapalayam.
2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.

Order made in
C.R.P.(MD)No.2795 of 2023

Dated : 01.11.2023