

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2015

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

C.R.P.(NPD)No.1880 of 2015

1.G.Vijayakumar  
2,R.Nazar  
3.K.Rajasekaran

... Petitioners

v.

1.N.Mubarak Basha  
2. Shiram City Union Finance Ltd.,  
Represented by its Authorized Representative  
L.Suresh  
No.2, Shopping Complex,  
Block – 6, Neyveli-3

... Respondents

Civil Revision Petition filed under Article 227 of the Constitution of India, against the judgment and decretal order dated 2.1.2013 made in E.P.No.28 of 2013 in ACP No.15 of 2012 on the file of the Sub Judge, Neyveli, Cuddalore District.

For Petitioner : Mr.Senthamizh Selvan

ORDER

Challenging the fair and final order passed in E.P.No.28 of 2013 in ACP No.15 of 2012 on the file of the Sub Court, Neyveli, the judgment debtors have filed the above Civil Revision Petition.

2. The petitioners are challenging the order dated 2.1.2013 passed in the Execution petition in E.P.No.28 of 2013. By order dated 2.1.2013, the Execution Court ordered notice to the respondents 2 to 4 through court and post returnable by 8.2.2013. This order passed by the Execution Court is under challenge in this Civil Revision Petition.

3. I do not find any error or irregularity in ordering notice to the respondents. That apart, subsequently, i.e., in October and November 2014, the judgment debtors appeared before the Execution Court and also made part payments. That being the case, the reason for not challenging the impugned order immediately was not explained by the judgment debtors. After a lapse of two years the judgment debtors have challenged the impugned order dated 2.1.2013 that too, ordering notice to the respondents, which cannot be entertained.

4. In these circumstance, I do not find any error or irregularity in the order passed by the Trial Court. The Civil Revision Petition is devoid of merits and is liable to be dismissed. Accordingly, the Civil Revision petition is dismissed. No costs.

30.04.2015

Index : No  
Internet : Yes

Rj

To

The Sub Judge,  
Neyveli,  
Cuddalore District.

M. DURAISWAMY,J.,

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