

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2015

CORAM :

THE HONOURABLE Ms.Justice K.B.K.VASUKI

C.R.P.No.3219 of 2007
and MP.No.1 of 2007

Sundar

... Petitioner/Respondent

Vs.

Ramalingam

... Respondent/petitioner

Prayer: Petition filed under Section 115 of the CPC against the fair and decreetal order dated 27.08.2007 made in EP.No.135 of 2005 in OS.No.415 of 2004 on the file of District Munsif Court, Panruti.

For Petitioner : M/s.R.Meenal

For Respondent : Mr.S.K.Rakunathan

O R D E R

The present revision is filed against the order made in execution petition attaching the petition mentioned property for brining it for sale, for realising the decree amount.

2.The Execution Petition was filed by the decree holder for attachment and sale of the property and the same was seriously opposed by the judgment debtor by contending that the property was already settled in favour of his wife. The Execution Court after analysing all the facts and circumstances and the evidence adduced before the same, negatived such theory to be valid and ordered the petition in favour of the decree holder. Hence, this Civil revision petition by the judgment debtor.

3.Heard both sides.

4.It is relevant to point out at this juncture that the claim petition filed by the wife was dismissed on merits and the correctness of the same was not challenged by the wife. That being the factual state of affairs, this Court does not find any reason to interfere with well considered order of the Execution Court.

5.Hence, this civil revision petition is dismissed and the executing Court is directed to proceed with the execution petition in the manner known to law. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar

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Sub Assistant Registrar

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To

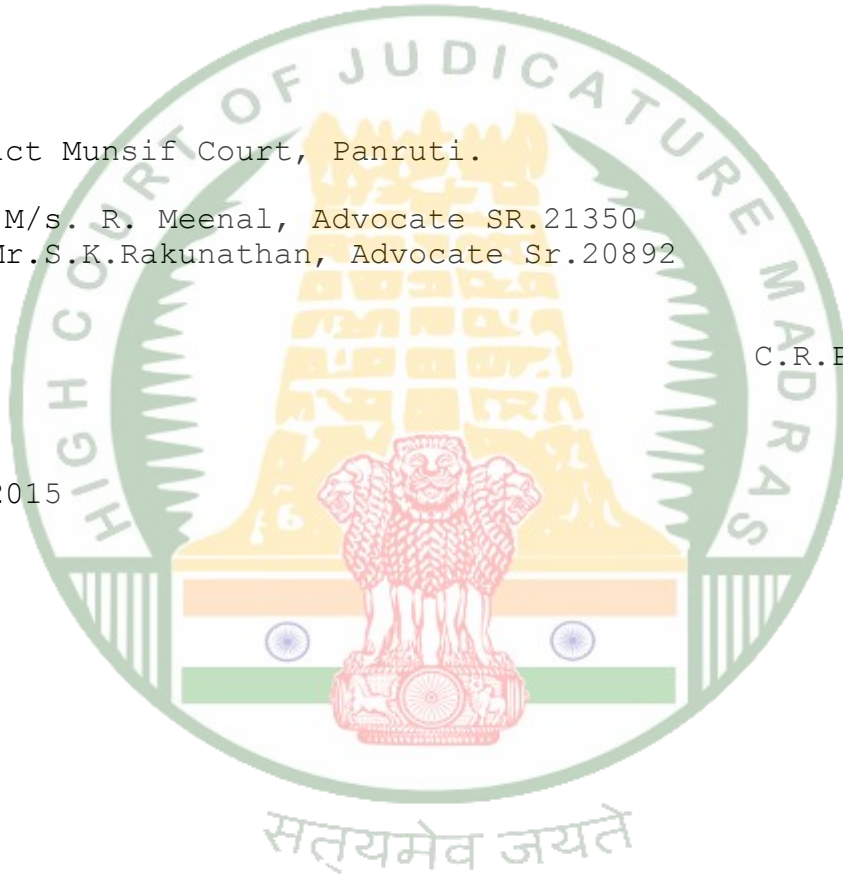
The District Munsif Court, Panruti.

+ 1 cc to M/s. R. Meenal, Advocate SR.21350

1 cc to Mr.S.K.Rakunathan, Advocate Sr.20892

C.R.P.No.3219 of 2007

VD(CO)
Eu 08.05.2015



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