

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2016

CORAM

THE HONOURABLE THIRU JUSTICE **M. DURAISWAMY**

C.R.P.(NPD)No.2573 of 2014

Thangavel

.... Petitioner

vs

1. Manickam

2. Kaliappa

.... Respondents

Civil Revision Petition filed under Section 115 of the Civil Procedure Code against the fair and decreetal order dated 10.02.2014 made in E.A.No.17 of 2011 in E.P No.67 of 2009 in O.S.No.483 of 1999 on the file of District Munsif Court, Pollachi.

For Petitioner : Mr.V. Anandhamurthy

ORDER

Challenging the order passed in E.A No.17 of 2011 in E.P.No.67 of 2009 in O.S.No.483 of 1999 on the file of District Munsif Court, Pollachi, the revision petitioner, who is a third party to the proceedings, has filed the above Civil Revision Petition.

M. DURAISWAMY,J.,

sr

2. Pursuant to the decree passed in the suit in O.S.No.483 of 1999, the first respondent/decreed holder filed an Execution Petition in E.P.No.67 of 2009. In the said Execution Petition, the revision petitioner filed an application in E.A No.17 of 2011 under Order 21 Rules 97 and 98 of Civil Procedure Code. The Executing Court dismissed the application, against which, the revision petitioner has filed the above civil Revision Petition.

3. Since the order passed in the application in E.A.No.17 of 2011, filed under Order 21 Rules 97 and 98 of Civil Procedure Code, is an appealable order, the Civil Revision Petition, filed by the revision petitioner/third party is not maintainable. Accordingly, the Civil Revision Petition is dismissed as not maintainable. No costs.

15-11-2016

sr

Index:no
website:yes

To
The District Munsif Court, Pollachi

CRP(NPD)No.2573 of 2014