

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAIWAMY

C.R.P.(NPD).No.2457 of 2016  
and C.M.P.No.12797 of 2016

1.The Tahsildar,  
Krishnagiri.

2.The District Collector,  
Krishnagiri.

... Petitioners

Vs.

1.G.R.Lokabiram

2.G.V.Ramachandhiran

3.R.Sundharraj

4.G.R.Udhayaraj

5.J.Urmila

6.J.Sathyamoorthy

7.G.K.Latchumipathi

... Respondents

Civil Revision Petition filed under Section 115 of the Civil Procedure Code against the fair and decreetal order dated 11.01.2016 made in R.E.P.No.19 of 2013 in O.S.No.325 of 2008 on the file of the District Munsif Court, Krishnagiri, Krishnagiri District.

For Petitioners : Mr.M.Venugopal,  
Special Government Pleader

For Respondents : Mr.N.C.Ashok Kumar

**ORDER**

Challenging the order passed in R.E.P.No.19 of 2013 in O.S.No.325 of 2008 on the file of the District Munsif Court, Krishnagiri, Krishnagiri District the plaintiff has filed the above Civil Revision Petition.

2.Pursuant to the decree passed in O.S.No.325 of 2008, the plaintiffs filed an Execution Petition in R.E.P.No.19 of 2013. Before the Executing Court, the revision petitioners remained absent, hence, the Executing Court had no other option except to order attachment as prayed for.

3.When the revision petitioners have not putforth their case before the Executing Court and when the Executing Court is bound by the decree passed by the trial Court, the order passed by the Executing Court is just and proper.

4.The learned Special Government Pleader appearing for the revision petitioners submitted that by challenging the decree passed in O.S.No.325 of 2008, the revision petitioners have filed an appeal with delay excuse petition before the Principal Subordinate Court, Krishnagiri.

5.In these circumstances, I do not find any error or irregularity in the order passed by the Executing Court. The Civil Revision Petition is devoid of merits and is liable to be dismissed. Accordingly, the Civil Revision Petition is

dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Index : No  
Internet : Yes  
va

**01.09.2016**

To

The District Munsif Court,  
Krishnagiri,  
Krishnagiri District.

**M.DURAIWAMY,J.**  
va

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