

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:07.12.2017

CORAM

The Hon'ble Mr.Justice **M.V.MURALIDARAN**

CRP.No.1456 of 2006

and

M.P.No.2 of 2006 and Caveat No.4310 of 2006

K.M.Gopal

Petitioner

vs.

1.Sri.Mookambigai Auto Financiers,
Gudiyattm, Rep. by its Partner,
6C, Katpadi Road,
Gudiyattam.

2.M/s.Saravana Theater,
Gudiyattam,
Rep. by its Partner, Melpatti Road,
Gudiyattam,
K.B.Margabandhu Mudaliar(died),
S/o.Balasundaram Mudaliar.

3.K.M.Mahalingam
4.K.M.Krishnamurthy
5.Durairaj
6.Indirani
7.K.M.Velumani
8.A.Jayalakshmi
9.D..Shanthi
10.M.Jothi
11.M.Usha

.. Respondents

Civil Revision Petition filed under Section 115 of C.P.C, to set aside the petition and order of arrest made in O.E.P.No.322 of 2004 in

O.S.No.161 of 1999 on the file of the District Munsif, Gudiyattam, dated 25.07.2006.

For Petitioner :Mr.K.A.Ravindran
and M.Arul simi

For Respondents :Mr.Karunakaran
for Caveator

ORDER

This petition is filed to set aside the petition and order of arrest made in O.E.P.No.322 of 2004 in O.S.No.161 of 1999 on the file of the District Munsif, Gudiyattam, dated 25.07.2006.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.

3. Considering the facts and circumstances of the case, this petition is allowed subject to the condition that the petitioner should pay a sum of Rs.5,000/- (Rupees five thousand only) to the **Headmistress Government Hobart Muslim (Girls) Higher Secondary School, Whites Road, Royapettah, Chennai - 600 014**, within a period of four weeks from the date of receipt of a copy of this order. The matter is remanded back to the Execution Court for disposal of the same on merits within a period of three months from the date of receipt of a

copy of this order. The petitioner who is the judgment debtor shall appear before the Executive Court on all hearings without fail. No costs. Consequently, connected miscellaneous petitions are closed.

07.12.2017

Index:Yes/No
Internet:Yes/No
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Note: Issue order copy on 11.12.2017

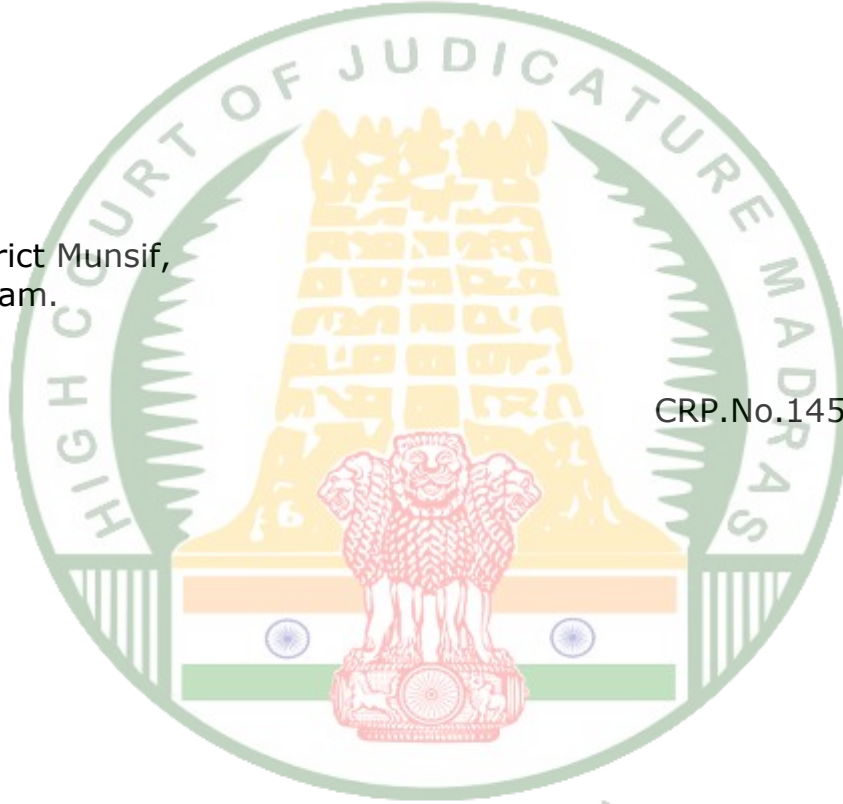


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M.V.MURALIDARAN, J.
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To

The District Munsif,
Gudiyattam.



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