

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2017

CORAM :

THE HONOURABLE MS.JUSTICE R.MALA

C.R.P(NPD).No.3208 of 2016
and C.M.P.Nos.16267, 18639 and 19906 of 2016

O.S.M.Abdul Rahman (deceased)

1.A.Mohamed Yusuf

2.A.Zeauddin

3.A.Sarbuddin

4.A.Zahir Hussain

.. Petitioners

Vs.

M.Fathima Gani

.. Respondent

Prayer:- Civil Revision Petition is filed under Section 115 of C.P.C., against the fair and decreetal order dated 17.09.2016 made in E.P.No.2160 of 2014 in O.S.No.820 of 2004 on the file of the learned X Assistant City Civil Judge, Chennai.

For Petitioner : Mr.A.M.Ayya Duari

For Respondent : Mr.R.Veeramani

ORDER

This Civil Revision Petition is filed against the fair and decreetal order dated 17.09.2016 made in E.P.No.2160 of 2014 in

O.S.No.820 of 2004 on the file of the learned X Assistant City Civil Judge, Chennai.

2.Today, both sides counsel would submit that the entire decree amount has been deposited by the petitioners before the Executing Court and they have also made endorsements to that effect. Therefore, the learned counsel for the respondent seeks permission of this Court to not press the execution petition.

3.Recording the above submissions and endorsements so made by both sides, the execution petition is dismissed as not pressed as entire amount is deposited by the petitioner. At this juncture, the respondent/decreed holder sought for permission to withdraw the deposited amount. Therefore, the respondent/decreed holder is directed to file an appropriate application before the Executing Court for withdrawal of the decree amount. Accordingly, the Civil Revision Petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

01.02.2017

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To
X Assistant City Civil Court, Chennai.

R.MALA,J.

Kj

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