

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2017

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Review Application No.159 of 2009
in CRP (NPD) No.2457 of 2007

K.C.Palanisamy

...

Petitioner

Vs.

1.M.Natarajan

2.K.Iyyasamy

...

Respondents

PRAYER : Review Application filed under Order 47 Rule 1 CPC r/w Section 114 of CPC to review the order of this Court dated 22.06.2009 made in CRP (PD) No.2457 of 2007.

For Petitioner : Mr.Srinath Sridevan

ORDER

This Review Application has been filed to review the order of this Court dated 22.06.2009 made in CRP (PD) No.2457 of 2007 remanding the matter to the Execution Court to consider the Execution Proceedings afresh.

2. From the order of this Court dated 22.06.2009, it is seen that the learned counsel for the review applicant who was the first

respondent in CRP contended that while setting aside the impugned order of the Execution Court, a direction may be given for fresh disposal of the E.P. This Court, considered the said contention that the Execution Court failed to follow the procedure and set aside the impugned order and remanded the matter to Execution Court for fresh disposal.

3. The Review Applicant has now engaged the present Advocate and is putting forth a new case that the review applicant had already deposited non-judiciary stamp papers and sale deed was executed on 22.02.2007. The review applicant is not entitled to argue the matter on merits putting forth new case. It is not the case of the review applicant that execution of sale deed in his favour was brought to the notice of this Court and inspite of the same, without considering it, this Court passed an order, now sought to be reviewed. There is no error apparent in the said order warranting interference by this Court to review the same.

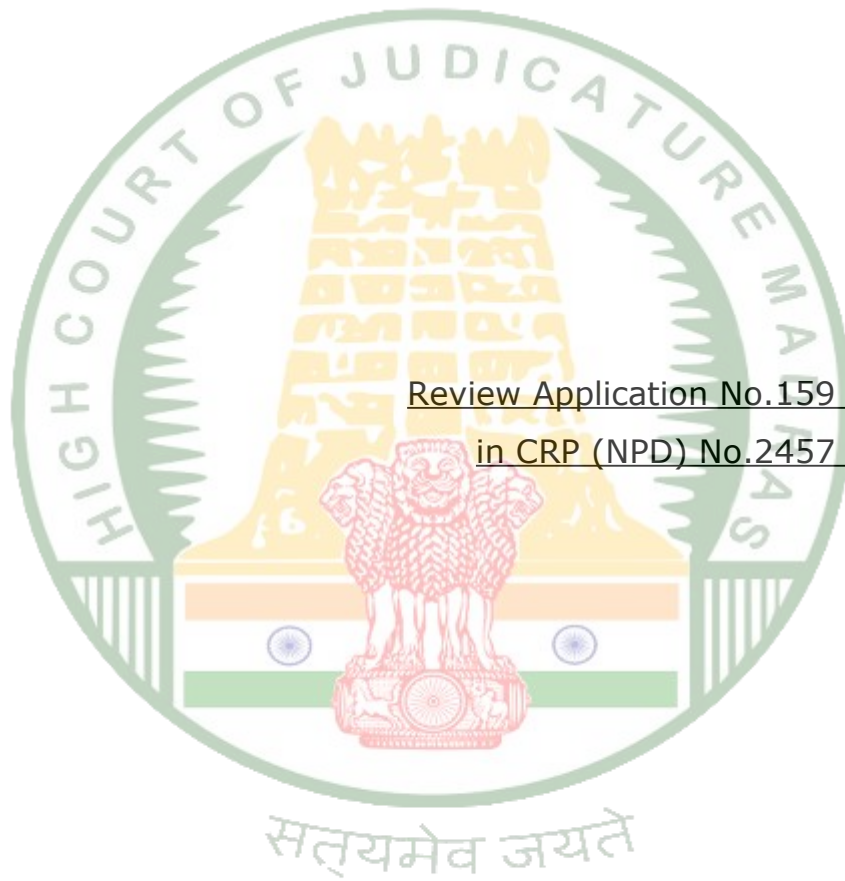
4. In the result, this Review Application is dismissed. No costs.

19.09.2017

Index : Yes/No
rgr

V.M.VELUMANI, J.

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