

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.09.2017

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P.(NPD) No.4505 of 2012
M.P.No.1 of 2012

P.Rangarajan

.. Petitioner

Vs.

Dhanalakshmi

.. Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, against the fair and decretal order in E.P.No.112 of 2012 in O.S.No.97 of 2011 dated 28.09.2012 passed by the learned Principal Subordinate Judge, Neyveli.

For Petitioner : Mr.K.Thilageswaran

For Respondent : No appearance

ORDER

This Civil Revision Petition has been filed against the fair and decretal order in E.P.No.112 of 2012 in O.S.No.97 of 2011 dated 28.09.2012 passed by the learned Principal Subordinate Judge, Neyveli.

2. The petitioner is the judgment debtor and respondent is the decree holder in O.S.No.97 of 2011, on the file of the Subordinate Court, Neyveli. Respondent filed the said suit for recovery of a sum of Rs.3,00,000/- from the petitioner. The respondent filed E.P.No.112 of 2012 against the petitioner on the file of the Principal Subordinate Judge, Neyveli, for recovery of a sum of Rs.5,36,134/-, failing which, to arrest him and detain the petitioner in the Civil prison. The petitioner did not pay the amount. The learned Judge, ordered arrest.

3. Against the said order dated 28.09.2012 made in E.P.No.112 of 2012 in O.S.No.97 of 2011, the present Civil Revision Petition is filed by the petitioner.

4. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

5. From the materials on record, it is seen that the petitioner was arrested on 11.10.2012 at about 5 p.m and produced before the Court. The petitioner was kept in the Civil prison for 20 days.

Subsequently, on the date of hearing, when he was produced before the Court, he escaped. The learned Judge has ordered disciplinary proceedings against the Senior Bailiff for dereliction of duty. In view of the fact that the petitioner was already arrested and produced, the Civil Revision Petition challenging the order of arrest has become infructuous.

6. In the circumstances, the Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

15.09.2017

Index: Yes/No

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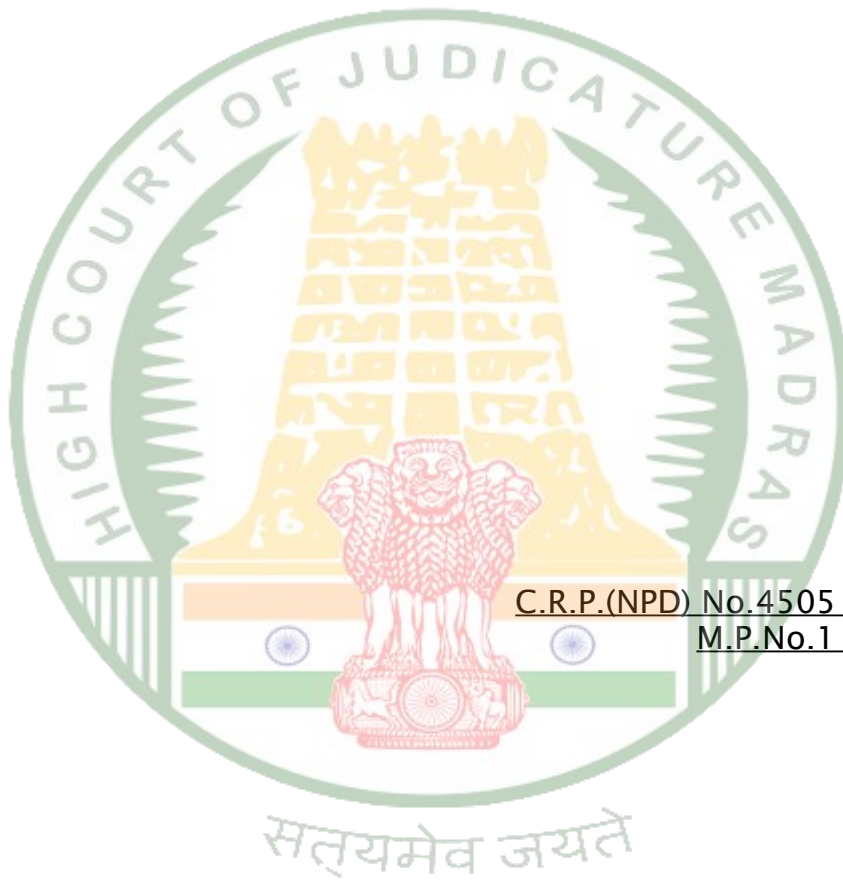
To

The Principal Subordinate Judge,
Neyveli.

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V.M.VELUMANI,J.

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