



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 20.08.2018
CORAM :
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (MD) (PD) No.309 of 2018
and
C.M.P. (MD) No.1437 of 2018

Uchimahali ... Petitioner / Petitioner /
3rd Party / Obstructor
/Vs./

1.Muthupandian ... 1st Respondent / 1st Respondent /
Decree Holder / Plaintiff.

2.Murugan ... 2nd Respondent / 2nd Respondent /
Judgment Debtor / Defendant

Prayer: Civil Revision Petition - filed under Section 115 of the Civil Procedure Code, to set aside the fair and decreetal order dated 05.10.2017 made in E.A.No.406 of 2016 in E.P.No.118 of 2011 in O.S.No.369 of 2005 on the file of the Principal District Munsif, Tenkasi by allowing this Civil Revision Petition.

For Petitioners : Mr.V.Sasikumar
For R-1 : Mr.M.Saravanan
for Mr.R.Subramanian
For R-2 : No appearance

ORDER

The revision petitioner filed an obstruction petition under Order 21 Rule 97 of Civil Procedure Code. The Executing Court passed an order on merits. Therefore, the order would amount to a decree in terms of Order 21 Rule 103 of C.P.C. Hence, only an appeal will lie and this Civil Revision Petition is not maintainable. The revision petitioner is at liberty to file an appeal questioning the impugned order.

2. With liberty, this Civil Revision Petition is closed. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-I)

/True Copy/



To

The Principal District Munsif,
Tenkasi.

+1CC to Mr.V.Sasikumar, Advocate, SR.No. 79256

+1CC to Mr.R.Subramanian, Advocate, SR.No.79276

Order made in
C.R.P. (MD) (PD) No.309 of 2018
20.08.2018

SM

ES/SKN/RSK/SAR 2/23.08.2018/2P/4C