



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.09.2018

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD).No.338 of 2018 and
C.M.P.(MD)No.1570 of 2018

M.R.Radha ... Revision Petitioner/Respondent/
Defendant

Vs.

Dr.Indramohan ... Respondent/Petitioner/
Plaintiff

PRAYER : Civil Revision Petition is filed under Section 115 of the Civil Procedure Code, to call for the records relating to the petition and order dated 20.09.2017 in E.P.No.76 of 2015 on the file of the learned II Additional Subordinate Judge, Madurai, in O.S.No.1134 of 2010, set aside the same and consequently allow the Civil Revision petition.

For Petitioners : Mr.G.Prabhu Rajadurai,
for Mr.J.Anandkumar.
For Respondent : Mr.V.R.Venkatesan

O R D E R

The Judgment debtor has come to this Court questioning the order passed by the Execution Court bringing the property to sale.

2. The learned counsel appearing for the Revision petitioner pointed out that pursuant to the condition imposed by this Court at the time of granting Interim Stay, a sum of Rs.3,50,000/- was already deposited. He has no objection for the respondent to withdraw the said amount. This submission is recorded.

3. The learned counsel appearing for the Revision petitioner further submits that the balance amount as calculated in E.P. will be paid within a period of eight weeks from the date of receipt of a copy of this order. The execution proceedings therefore shall be put on hold for a period of eight weeks.

4. At this stage, the learned counsel appearing for the respondent submits that there is some error in the decree and that he intends to apply before the Court below for rectifying the same. This issue is left open.



5. The order impugned in this Civil Revision petition is set aside. The Civil Revision petition stands allowed, accordingly. No costs. Consequently, connected Miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar(CS-I)

pmu

To

1. The II Additional Subordinate Judge,
Madurai.
2. The Record Keeper, V.R.Section, (2 COPIES)
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.J.Anand Kumar, Advocate in SR No.86533

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NM/SV/SAR I/30.10.18/2P/5C.