



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

C.R.P. (PD) (MD) No.1521 of 2018

and

C.M.P. (MD) No.6596 of 2018

T.Sivakumar

...Petitioner / Petitioner /Third Party

-vs-

1.C.Somasundaram

...Respondent/ decree holder / Plaintiff

2.S.Palanivelu

... Respondent/Respondent

judgment debtor/ Defendant

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India praying to call for the records of the lower Court and set-aside the order and decreetal order dated 29.08.2016 passed in E.A.No.96 of 2010 in E.P.No.102 of 2009 in O.S.No.153 of 2008 by the Sub-Ordinate Judge, Pudukkottai, dismissing the Claim Petition filed by the petitioner herein under Order XXI, Rule 58(1) and 3(a) of the Civil Procedure Code and allow the Civil Revision Petition.

For Petitioner : Mr.J.Selvarajan
For R1 : Mr.K.Balasundaram

ORDER

The revision petitioner filed claim petition under Order XXI Rule 58 (1) & 3 (a) CPC. The said claim petition was dismissed on merits by order dated 29.08.2016. Questioning the same, this Civil Revision Petition has been filed.

2.Against the order impugned in this Civil Revision Petition, only an appeal would lie. This Civil Revision Petition is not maintainable. Accordingly, it is dismissed. The petitioner is of course at liberty to file an appeal questioning the order impugned in this petition. Time spent in prosecuting this Civil Revision Petition would of course stand excluded. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (WRITS)

/True Copy/



To:
The Sub-Ordinate Judge,
Pudukkottai.

+1CC TO MR.D.SRINIVASARAGAVAN, ADVOCATE IN SR.NO.79815.
+1CC TO MR.K.BAALASUNDHARAM, ADVOCATE IN SR.NO.79559.

C.R.P. (PD) (MD) No.1521 of 2018
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DS RP SAR-1:26.09.2018: 2P/4C