

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2019

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRP NPD NO.2635 of 2010 and
M.P.No.1 of 2010

Thennarasu

... Revision Petitioner

Vs.

Kannupaiyan

.... Respondent

Prayer: Civil Revision Petition filed under Section 115 of the Code of Civil Procedure against the order dated 13.08.2007 passed in R..E.P.No.31 of 2007 in O.S.No.164 of 2000 by the District Munsif, Krishnagiri.

For Revision Petitioner : Mr.S.Mukunth
for M/s Sarvabhauman Associates

For Respondent : Mr.V.Nicholas

ORDER

This revision petition has been filed against the orders passed by the execution court in R.E.P.No.31 of 2007 in O.S.No.164 of 2000, ordering attachment of the salary of the revision petitioner.

2. The revision petitioner is the defendant in O.S.No.164 of 2000 and the plaintiff had filed the suit against the defendant for recovery of a sum of Rs.54,800/-. The said suit was decreed in favour of the plaintiff. Subsequently, to execute the decree, the plaintiff had filed an execution petition in R.E.P.No31 of 2007. In that petition, the execution court passed an order of attachment of the salary of the defendant. Against which, the present revision petition has been filed by the defendant/judgment debtor.

3. The learned counsel appearing for the respondent filed a memo stating that the decree amount with interest is calculated upto the month of February 2019 and it comes to Rs.1,34,918/-.

4. The learned counsel appearing for the revision petitioner would submit that the revision petitioner is ready and willing to pay the said amount of Rs.1,34,918/- in five monthly installments, without fail and hence, he may be permitted to pay the amount in five monthly installments.

5. Recording the submission made by the learned counsel appearing for the revision petitioner, the revision petitioner/judgment debtor is directed to pay the amount of Rs.1,34,918/- with subsequent interest till 27.03.2019 at the rate of 6% per annum, in five monthly installments. The revision petitioner shall pay all the installment amounts by way of Demand Draft to the respondent and the first installment shall commence on 01.04.2019. On failure of complying the conditions by the revision petitioner, he will be proceeded for disobeying the orders of this court, under Contempt of Courts Act.

6. With the above observations, this revision petition is disposed off. The connected civil miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mst

To

The District Munsif, Krishnagiri.

copy to: The Record Keeper,
VR Section,
High Court,
Madras. (2 copies)

+1 cc to M/s.Sarvabhauman Associates, S.R.No.29072

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PA(CO)
SSM(29/03/2019).