

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**Dated : 20.02.2019**

CORAM

**THE HONOURABLE Ms. JUSTICE P.T. ASHA**

**C.R.P.(NPD).No.634 of 2019**

Kumaran

...Petitioner/Petitioner/Plaintiff

Vs

1.Jayaraman  
2.Malliga  
3.Karthikeyan  
4.Sathiya  
5.Sakthivel

...Respondents/Respondents/Defendants

**PRAYER:** Civil Revision Petition filed under Article 115 of Civil Procedure Code to set aside the order dated 05.01.2019 passed in E.P.No.2 of 2015 in O.S.No.102 of 2011 on the file of the learned District Munsif, Pappireddipatti.

For Petitioner : Mr.V.Sakkarapani

**ORDER**

The above Civil Revision Petition is filed challenging the order of dismissal of the execution petition in E.P.No.2 of 2015

filed by the plaintiff/Decree holder on the file of the learned District Munsif, Pappireddipatti.

2.The revision petitioner/plaintiff had obtained a decree for permanent injunction in the suit O.S.No.102 of 2011 on the file of the learned District Munsif, Pappireddipatti. Claiming that the respondents have violated the decree, the execution proceedings came to be filed. In the affidavit filed in support of the execution proceedings, the revision petitioner has not made any statement as to the manner in which the decree has been disobeyed and the application is totally bereft of details. Considering the above, the learned District Munsif, Pappireddipatti, has dismissed the said petition. Challenging the said order, the revision petitioner is before this Court.

3.As rightly pointed out by the learned Judge, the onus is on the petitioner to prove the allegations that the respondents have disobeyed the decree and having failed to do so, the

revision is not maintainable. I find no infirmity in the order passed by the learned District Munsif, Pappireddipatti.

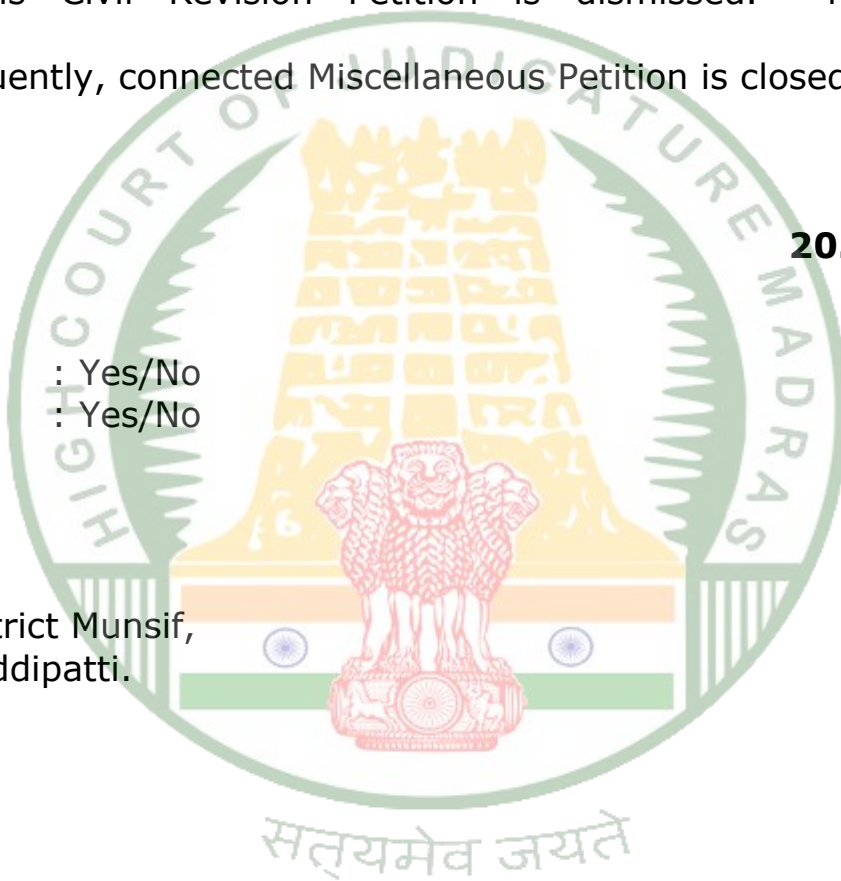
This Civil Revision Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

**20.02.2019**

Index : Yes/No  
Internet : Yes/No  
mps

To

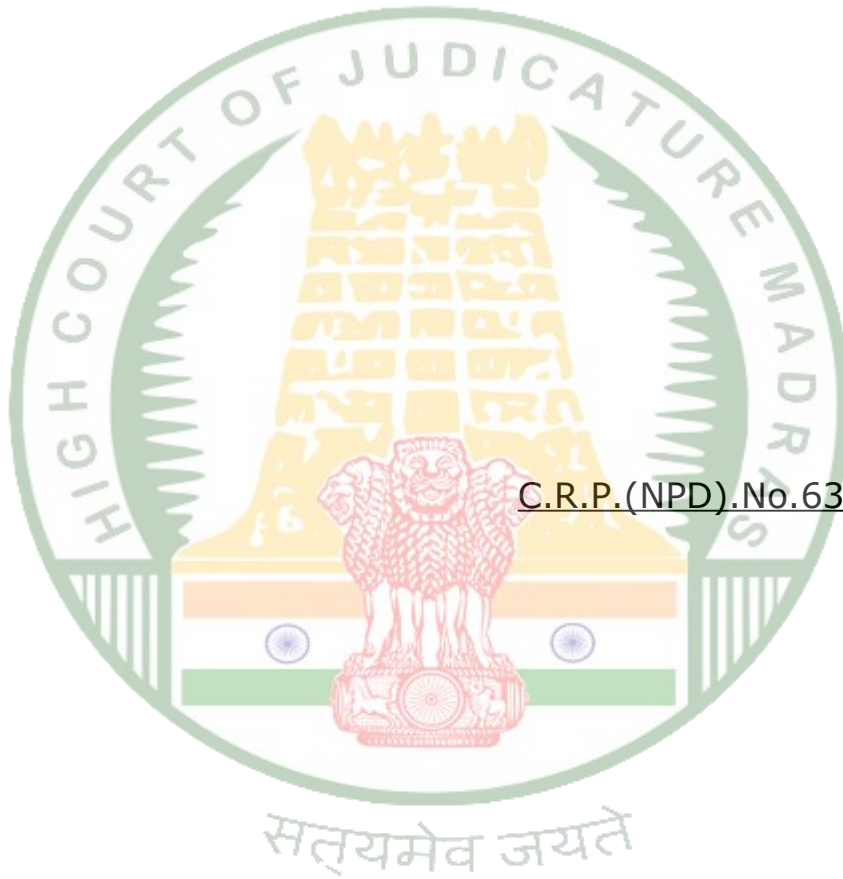
The District Munsif,  
Pappireddipatti.



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**P.T. ASHA, J,**

mps



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