

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2019

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P(NPD).No.793 of 2019

J.Mozhiselvi

...Petitioner

Vs

1.Ponnudurai

2.Alice Mary

3.Nalla Thambi

... Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India against the memo dated 30.01.2019 filed in S.R.No.470 of 2019 in E.P.No.22 of 2016 which was admitted by the learned District Munsif Judge, Tambaram.

For Petitioner : Mr.S.Thiru Saravanan

ORDER

The above Civil Revision Petition is filed challenging the filing of a memo by the Judgement Debtor wherein, the Judgement Debtor would state that the appeal filed by him was dismissed confirming the decree in O.S.No.162 of 2009 and granting him two months time to

vacate the suit property which is on 18.03.2019 and therefore the Execution proceedings cannot be proceeded till 18.03.2019. The decree holder has filed this revision challenging this memo on the ground that the same will result in the decree holder being unable to execute his decree.

Considering the fact that the memo only seeks to bring the order of the Appellate Court to the notice of the executing Court particularly that portion of the order granting the Judgement Debtor time till 18.03.2019 to vacate the premises no prejudice is caused to the decree holder/revision petitioner. The Civil Revision Petition is dismissed. There shall be no order as to costs.

01.03.2019

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Index : Yes/No
Speaking order/non-speaking order

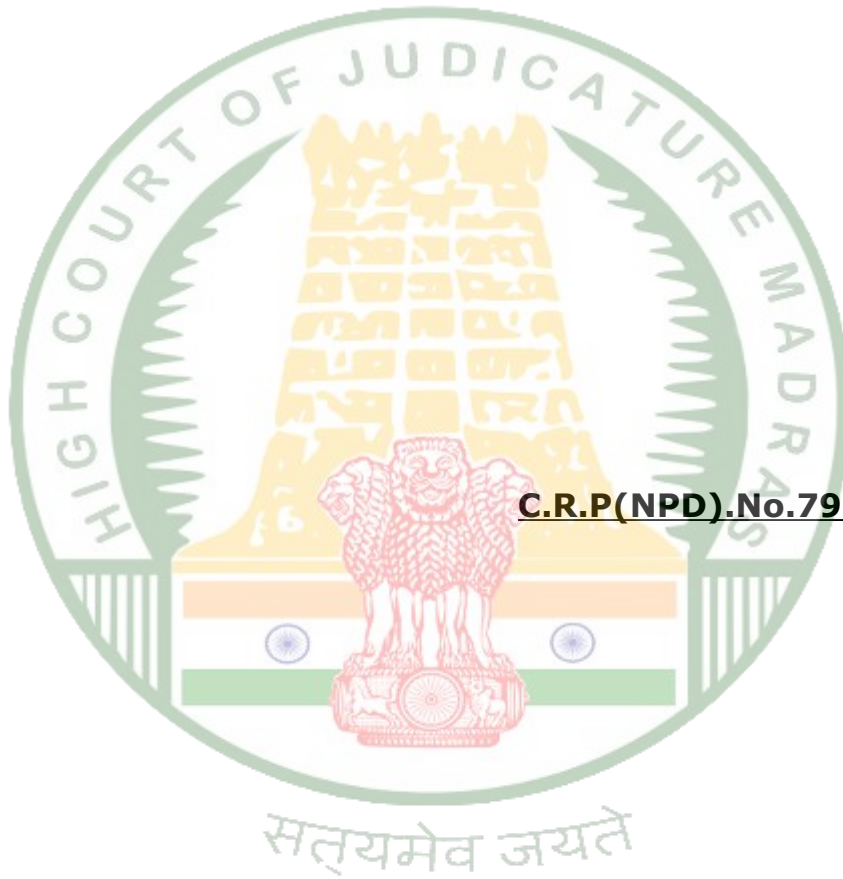
To,

The District Munsif,
Tambaram.

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P.T.ASHA, J.,

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