

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2019

CORAM

THE HONOURABLE Ms.JUSTICE P.T.ASHA

CRP.No.100 of 2016 and
CMP.No.537 of 2016

1. P. Veeramani
2. S. Sekar
3. R. Ramesh
4. P. Anbu
5. S. Ranganathan

Revision Petitioners/respondents

Vs

Jayapriya Chit Funds (P) Ltd,
by its foreman R.Anbazzhagan,
Branch Office,
Neyveli Township.

Respondent/Petitioner

PRAYER: Civil Revision Petition filed under Section 115 of the Civil Procedure Code praying to allow this Revision Petition, set aside the docket order of the learned I Additional Subordinate Judge of Cuddalore allowing E.P.No.106 of 2013 in A.R.No.400 of 2012 by order dated 04.11.2015.

For Petitioners : Mr. R. Gururaj

For Respondent : Mr. C.A.Anburaja

सत्यमेव जयते
O R D E R

The above Civil Revision Petition is filed challenging the order dated 04.11.2015 in EP.No.106 of 2013 whereby the learned I Additional Subordinate Judge, Cuddalore has ordered attachment of the salary of the revision petitioners who are all working in the BSNL.

2. The attachment is ordered only the against the revision petitioners, who are permitted to make monthly payments in the execution proceedings, had stopped the payments of the dues for a period of three (3) months.

3. Challenging the said order, the revision petitioners are before this Court. It is needless to state that the executing Court cannot go beyond the decree and has to simple execute the decree that has been granted. A chance was given to the revision petitioners to make the payment in instalments, which has been observed in a breach. Considering the conduct, this Court is inclined to allow the C.R.P. only on condition that the revision petitioners shall deposit the decreed amount within a period of six (6) months from this date. It is needless to state that whatever amounts that are so far paid shall be given due credit and the balance shall be deposited by the revision petitioners. On such deposit, the attachment shall be raised. It is needless to state that on such deposit, the attachment order shall itself be terminated and full satisfaction be recorded by the decree holder. Civil Revision Petition disposed of on the above terms. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

mrn

To

1. The I Additional Subordinate Judge, Cuddalore.

2. The Section Officer, VR Section, High Court, Madras

+1cc to Mr.R.Gururaj, Advocate SR.No.22175

+1cc to Mr.C.A.Anburaja, Advocate SR.No.23298

सत्यमेव जयते

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VBA (CO)

GMV (09/04/2019)

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