

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.06.2019

C O R A M

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

C.R.P.(NPD)No.1713 of 2017

Bakthavachalam

... Petitioner

Vs.

1. M/s.Mahindra @ Mahindra Financial Services Limited
Having its Regd office at Gateway building,
Apollo bundar, Mumbai – 400 001.

2. Priya

3.The General Manager,
Government of Tamil Nadu,
Survey & Land Records Department,
Central Survey Office,
Chepauk, Chennai – 600 005.

... Respondents

Prayer: Civil Revision Petition filed under Section 115 of C.P.C to set aside the order pertaining to the attachment of salary made in E.P.No.4291 of 2013 in ARB.No.5931 of 2009 dated 16.02.2017 by the Hon'ble IX Assistant City Civil Court, Chennai.

For Petitioner

: Mr.R.Thirumoorthy

For Respondents

: M/s.A.Prabhakaran
Mr.K.Ramesh [for R1]

ORDER

The Civil Revision Petition has been filed to set aside the order pertaining to the attachment of salary made in E.P.No.4291 of 2013 in ARB.No.5931 of 2009 dated 16.02.2017 by the Hon'ble IX Assistant City Civil Court, Chennai.

2. Learned counsel for the petitioner contends that the entire loan amount has been settled with the respondent and a No Objection Certificate has been issued. In view of the same, the attachment of salary made in EP.No.4291 of 2013 in ARB.No.5931 of 2009 dated 16.02.2017 has to be set aside.

3. The receipts and the letter of No Objection issued by the respondents has been enclosed in the typed set. The learned counsel for the respondents also submits that they issued a letter to remove the hypothecation endorsement made at the Regional Transport Officer. Therefore, orders may be passed.

4. Considering the full satisfaction recorded by the respondents, the attachment of salary made in the Execution Petition does not survive and accordingly, set aside.

5. In the result, the order in EP.No.4291 of 2013 in ARB.No.5931 of

2009 dated 16.02.2017 is set aside and the Civil Revision Petition is Allowed. No costs.

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Index:Yes/No

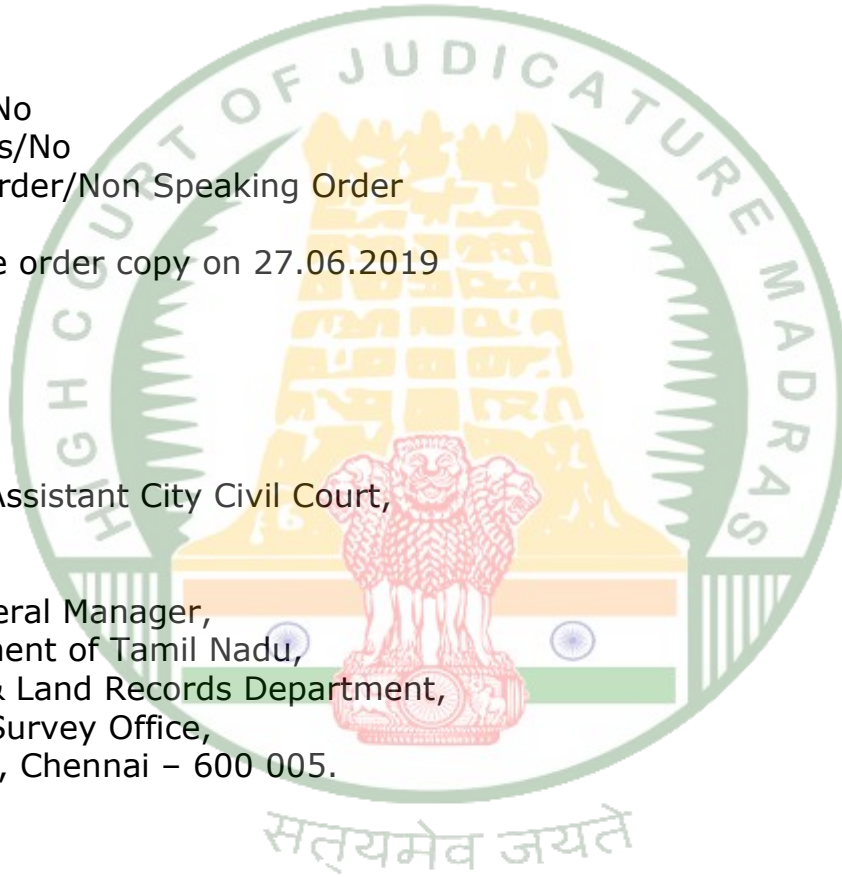
Internet:Yes/No

Speaking Order/Non Speaking Order

Note: Issue order copy on 27.06.2019

To

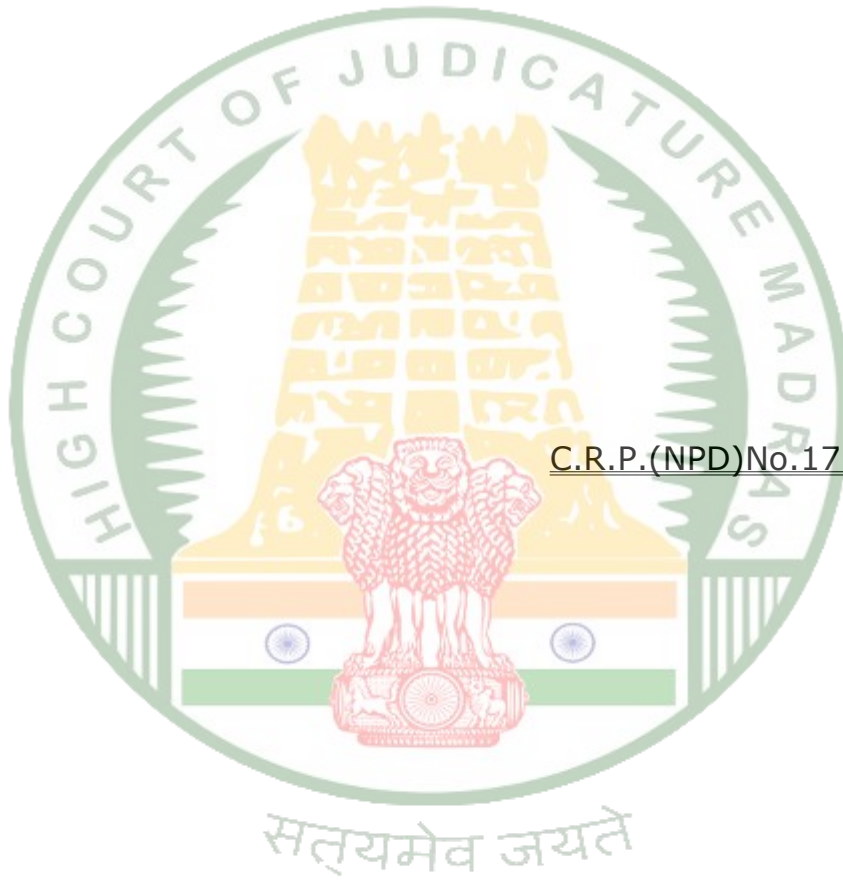
1. The IX Assistant City Civil Court,
Chennai.
2. The General Manager,
Government of Tamil Nadu,
Survey & Land Records Department,
Central Survey Office,
Chepauk, Chennai – 600 005.



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M. GOVINDARAJ, J.

bri



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