



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.11.2019

CORAM :

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

C.R.P. (PD) (MD) No. 684 of 2011
and M.P. (MD) No. 1 of 2011

K.Krishnapillai ... Petitioner/Judgment Debtor/Respondent

Vs.

1. The Senior Regional Manager,
Tamil Nadu Civil Supplies Corporation Ltd.,
Konam Nagercoil,
Agastheeswaram Taluk,
Kanyakumari District.

2. Tamil Nadu Co-operative
Marketing Federation Ltd.,
Rep by Regional Manager,
Kandasamy
Nagercoil Branch,
Kanyakumari District. ... Respondents/Decree holder/Petitioner

(R2 was impleaded as per order dated 21.07.2015
made in MP(MD) No.1 of 2012)

PRAYER: Civil Revision Petition is filed under Section 115 of the Code of Civil Procedure against the Docket Order dated 07.02.2011 made in E.P.No. 9 of 2008 in O.S.No.142 of 1994 on the file of the I Additional Subordinate Judge, Nagercoil.

For Petitioner	: No appearance
For R1	: Mr.Arul Vadivel Sekar
For R2	: Mr.J.Selvakumaran

O R D E R

This Civil Revision Petition is filed challenging the order passed in Execution Petition in E.P.No. 9 of 2008 by the I Additional Sessions Judge, Nagercoil.

2. The first respondent had obtained a decree against the revision petitioner herein in O.S.No.142 of 1993 for recovery of a sum of Rs.1,17,533.50/- together with interest at the rate of 6% per annum as the principal amount of Rs.50,686.50/- The decree holder/the first respondent had filed a execution petition subject matter of the present revision for recovery of a sum of Rs.1,83,869/-.



3. From the counter filed by the first respondent in the present revision petition, it appears that the first respondent realized a sum of Rs.1,35,000/- by invoking the bank guarantee executed by the revision petitioner/the judgment debtor in favour of the first respondent Corporation with the State Bank of India, Nagercoil . The said amount has not been adjusted out of the total amount recoverable from the decree holder. That apart, it is also informed that pursuant to the orders of this Court, while granting stay a sum of Rs.75,000/- has been paid to the credit of the execution proceedings by the decree holder.

4. In these circumstances, the decree amount appears to have been fully satisfied. Therefore, the revision petition is allowed. The full satisfaction in the execution proceedings is recorded and the attachment of the property shall stand raised. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

CM

To

The I Additional Subordinate Judge, Nagercoil.

+1CC TO MR.T.SELVAKUMARAN, Advocate Sr. No.98112

+1CC TO MR.N.SIVAKUMAR, Advocate Sr. No. 98484

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NA (CO)

TR (05.12.2019) 2P 4C