



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED : 12.12.2019  
CORAM:**

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

**C.R.P(MD)No.2294 of 2019  
and  
C.M.P. (MD)No.12069 of 2019**

Radhakrishnan ... Petitioner/Petitioner/Respondent  
(Judgment Debtor) / Defendant

-Vs-

A.S.S.Sethurama Subramanian ... Respondent / Respondent  
/ Petitioner / Plaintiff

**PRAYER:** Civil Revision Petition is filed under Section 115 of Civil Procedure Code, praying to set aside the fair and decreetal order dated 03.10.2019 in E.A.No.02 of 2019 in E.P.No.01 of 2016 in O.S.No.218 of 2010 on the file of the Sub Court, Srivilliputhur.

For Petitioner : Mr.K.Baalasundharam

**ORDER**

This Civil Revision Petition is filed against the order of dismissing the application filed by the judgment debtor / revision petitioner herein to pay the decreetal amount as installment payment at the rate of Rs.10,000/- per month.

2.The decree amount is admittedly Rs.15,75,250.75/-. In an earlier occasion, a revision filed by the judgment debtor was dismissed on the ground that he has not complied with the order of the Court to deposit 50% of the decreetal amount. The said condition has also not been complied with. Thereafter, he has filed an application to pay Rs.10,000/- per month, as installment payment, whereas, the trial Court has analyzed the factual aspect and found that if the petitioner is allowed to pay installment at the rate of Rs.10,000/- per month, it will take more than 14 years to satisfy the decree amount and admittedly, the decree holder is now aged about 74 years. Hence, the fruits of the decree will not be enjoyed by the decree holder.

3.In such view of the matter, this Court is of the view that the findings arrived at by the trial Court does not require any



interference. Accordingly, this Civil Revision Petition is dismissed at the admission stage itself. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (CS-III)

Sub Assistant Registrar(CS )

Myr

To

The Subordinate Judge, Srivilliputhur.

+1 CC to Mr.K.BAALASUNDHARAM, Advocate ( SR-104761[F] dated 12/12/2019 )

**C.R.P(MD)No.2294 of 2019**  
**12.12.2019**

MK (06.01.2020) 2P 3C