

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

CRP NPD. No.711 of 2018
and CMP No.3689 of 2018

1. N.Maragatham

2. S.Natrajan

3. S.Vadivambigai

.. Petitioners

Vs.

Mayavaram Financial Chit Corporation Ltd
At Mayiladuthurai, Rep. By its
Chief Executive Officer,
Sri.J. Manoj Padmanabhan
No.13-A1, Cutchery Road, Mayiladuthurai.

..Respondent

PRAYER: Civil Revision Petition filed under Section 115 of Civil Procedure Code, praying to set aside the order and decretal order dated 17/11/2017 passed in E.P.No.290 of 2016 in A.P.No.42/2015 on the file of the II Additional District Judge at Puducherry.

For Petitioners : Mr.A.Tamilvanan
For M/s.G.D.Jearany

For Respondent : Mr.P.Visvasoundaram
for M/s.Achari & Antoni Associates

ORDER

This matter is taken up for hearing through Video-Conferencing.

The judgment debtor having suffered a decree for payment of money has come up with this Revision. Challenge is to the order of the Executing Court rejecting his request for payment of the decree amount in instalments.

2. The learned Executing Court has taken note of the provisions of Order 20 Rule 11 of the Code of Civil Procedure and held that such a permission for payment by instalments cannot be granted by the Executing Court and the learned counsel for the petitioner is unable to point out error in the order of the Executing Court or any enabling provision in the Code of Civil Procedure. I also do not find material irregularity in the order of the Executing Court when it held that the Executing Court cannot grant permission payment by instalments.

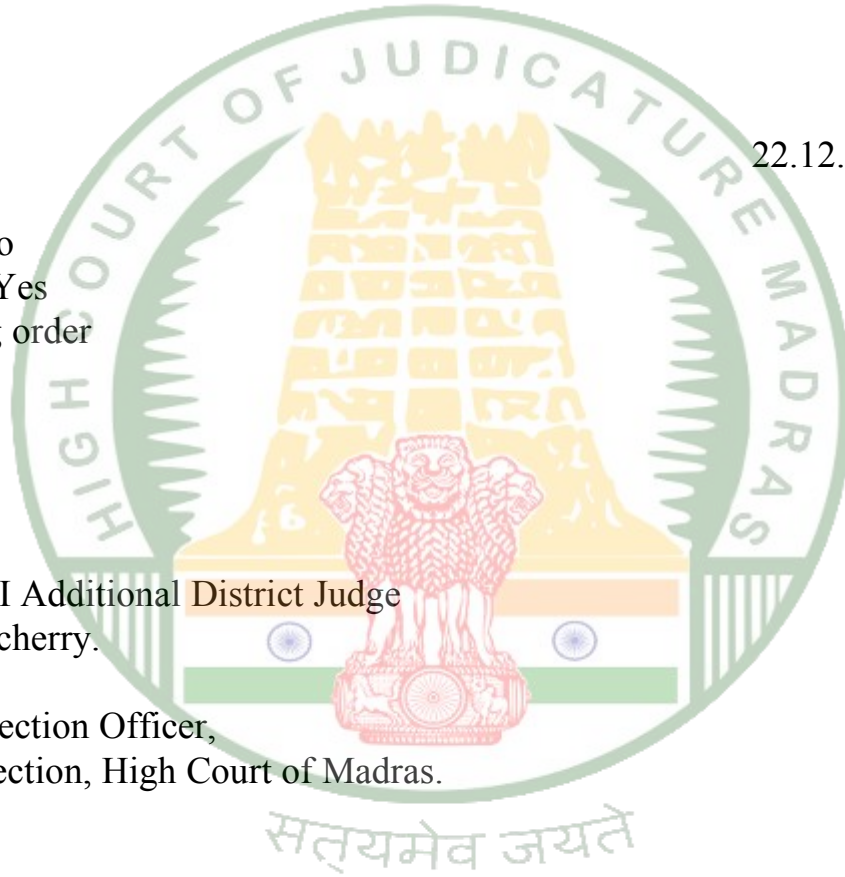
3. Hence, the Civil Revision Petition fails and it is accordingly **dismissed**. No costs. Consequently, the connected miscellaneous petition is closed.

22.12.2020

jv
Index: No
Internet: Yes
Speaking order

To

1. The II Additional District Judge
Puducherry.
2. The Section Officer,
V.R.Section, High Court of Madras.

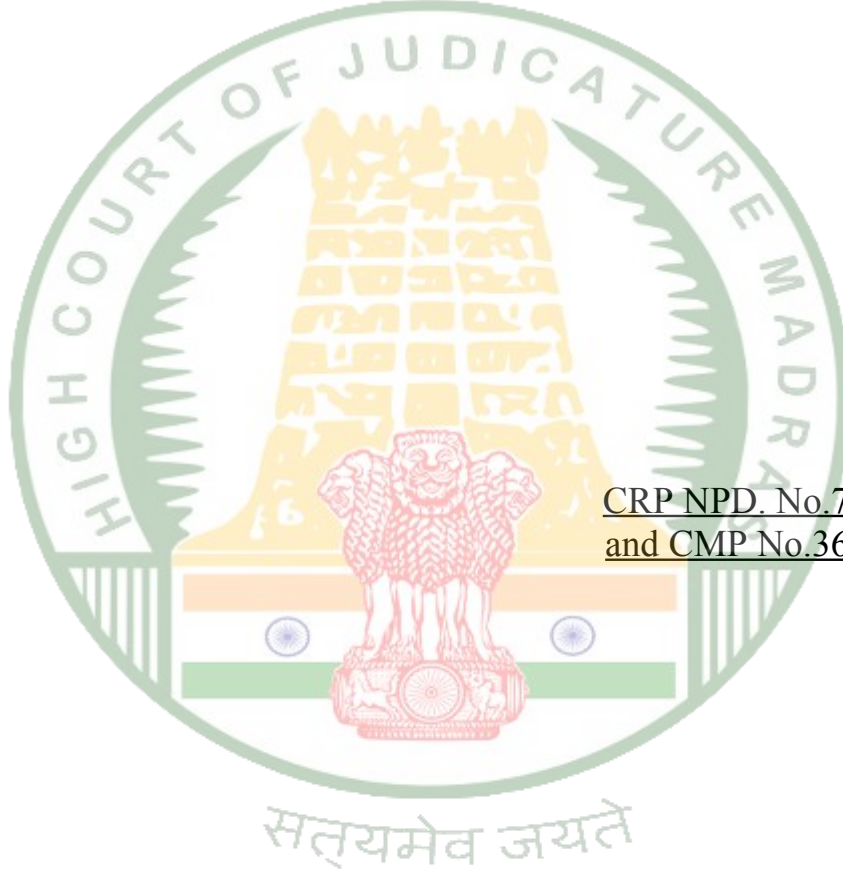


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R.SUBRAMANIAN, J.

jv



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