



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.R.P. (NPD) (MD) No.1107 of 2006

WEB COPY

M/s.Angayarkanni Chit Fund
(Pvt) Ltd., Madurai
rep.by its Managing Director
Natarajan
S/o.M.C.Manickam Chettiar
residing at Plot No.509
Annanagar, Madurai-20

... Petitioner

-vs-

1.T.Sivagurunathan Pillai

2.M.Ramaiah Pillai (Died)

3.R.Nagasekar

4.Muthramalingam

... Respondents

[R3 & R4 brought on record as L.Rs. of the
deceased R2 vide order dated 13.11.2019 in
M.P.(MD) Nos.2 & 3 of 2008]

PRAYER : Civil revision petition is filed, under Article 227 of the Constitution of India, to set aside the fair and final order in E.A.No.....of 2005 (SR.No.23194, dated 11.07.2005) in E.P.No.489 of 1979 in O.S.No.527 of 1973, dated 12.09.2005, on the file of the I Additional Sub Judge, Madurai.

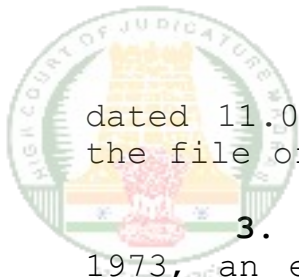
For Petitioner : Mr.S.Srinivasa Raghavan

For Respondents : Mr.D.Muruganandam for R1
R2 - Dismissed
No appearance for R3
R4 - Died

O R D E R

Heard the learned counsel for the revision petitioner and the learned counsel for the first respondent.

2. This civil revision petition is directed against the order dated 12.09.2005, passed in E.A.No.....of 2005 (SR.No.23194,
<https://hcservices.ecourts.gov.in/hcservices/>



dated 11.07.2005) in E.P.No.489 of 1979 in O.S.No.527 of 1973, on the file of the I Additional Sub Court, Madurai.

3. It appears that based on a decree passed in O.S.No.527 of 1973, an execution petition was laid in E.P.No.489 of 1979. The execution petition was terminated by order dated 14.03.1985. Long thereafter, the present application was filed in the year 2005 seeking to revive E.P.No.489 of 1979. The Executing Court, vide order dated 12.09.2005, rejected the application by observing that the execution petition was closed on 14.03.1985 and hence, the decision relied on by the petitioner reported in **2000 (1) CTC 672** was not applicable to the facts of the case. This Court finds no illegality or irregularity in the order impugned in this civil revision petition.

4. Hence, the civil revision petition is dismissed. No costs.

Sd/-

Assistant Registrar (C.O)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

krk

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To:

The I Additional Sub Judge, Madurai.

Copy to: The Section Officer, V.R. Section,
Madurai Bench of Madras High Court,
Madurai. (2)

+1cc to Mr.S.Srinivasa Raghavan, Advocate, SR.No.17592.

C.R.P. (NPD) (MD) No.1107 of 2006

18.09.2020

AC (CO)

CS (24.09.2020) 2P 5C