



WEB COPY



CRP (NPD) No. 2868 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **23.12.2021**

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

CRP (NPD) No. 2868 of 2021

And

C.M.P.No. 20734 of 2021

Muthusamy

... Petitioner/Defendant/Petitioner

Vs

Selvaraj

... Petitioner/Plaintiff/Respondent

PRAYER: Civil Revision Petition filed under Section 115 of the Civil Procedure Code, against the order and decree dated 13.11.2019 made in E.P.No. 26 of 2017 in O.S.No. 140 of 2012 on the file of Subordinate Judge, Kallakurichi.

For Petitioner

: Mr. A.Gouthaman



WEB COPY



CRP (NPD) No. 2868 of 2021

ORDER

The petitioner challenges an order directing the execution of sale deed in E.P.No. 26 of 2017.

2. The said E.P was filed by the respondent seeking enforcement of the decree for specific performance granted in his favour on 29.08.2016.

3. The grievance of the petitioner is that his application to set aside the ex-parte decree was dismissed for default and an application filed by him seeking restoration of that application is pending. If the sale deed is to be executed in the interregnum considerable loss and hardship would be caused to him.

4. I do not think this could be a proper ground to entertain the revision particularly under Article 227 of the Constitution of India and grant stay of execution. The order impugned in this revision is dated 13.11.2019 and the petitioner has obtained certified copy of the same on 05.09.2020.



CRP (NPD) No. 2868 of 2021

5. This Civil Revision Petition has been filed after more than a year on 24.11.2021, I therefore do not find any reason to entertain this Revision and hence, this Revision fails and it is accordingly dismissed. Consequently, connected Miscellaneous Petition is closed. No costs.

23.12.2021

vsg
Index: Yes/No
Speaking order / Non speaking order

To:

1. Subordinate Court, Kallakurichi
2. The Section Officer,
VR Section,
Madras High Court, Chennai.



WEB COPY



CRP (NPD) No. 2868 of 2021

R.SUBRAMANIAN, J.

Vsg

CRP (NPD) No. 2868 of 2021

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