



C.R.P. (NPD) No.403 of 2021
and CMP No.3439 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

Civil Revision Petition (NPD) No.403 of 2021
and CMP No.3439 of 2021

1. S.Ulaganayagi

2. S.Balakrishnan

3. B.Punitha

.. Petitioners

Vs.

1. Balasubramanian

2. Gnanasekaran

3. Karuppanna Gounder

Periyanchammal (Died)

4. Karuppasamy

5. Periyathal

.. Respondents

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of



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India, praying to set aside the decree and judgment dated 04.11.2020 passed in E.A.32 of 2013 in E.P.No.63 of 2008 in O.S.No.158 of 1996 on the file of the learned District Munsif, Dharapuram.

For Petitioners : Mr.S.Kumara Devan

ORDER

The order challenged in this Revision is one dismissing an application filed under Order XXI Rule 97 of the Code of Civil Procedure, obstructing execution of a decree passed in OS No.158 of 1996.

2. In view of the Order XXI Rule 103 of the Code of Civil Procedure and order passed in an application filed under Order XXI Rule 97 of the Code of Civil Procedure, is an appellable order and hence the Revision under Article 227 of the Constitution of India cannot be entertained.

3. Leaving it open to the petitioners to prefer an Appeal against the order passed by the Trial Court in EA No.32 of 2013, this Revision is **dismissed**. Consequently, the connected miscellaneous petition is closed.



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No costs.

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4. The pendency of the Civil Revision Petition shall be taken into account by the Appellate Court in considering the delay in filing the Civil Miscellaneous Appeal. The Registry is directed to return the certified copies of the orders of the Trial Court made in EA No.32 of 2013 to the counsel for the petitioners on 05.01.2022.

jv

04.01.2022

Index: Yes/No

Internet: Yes/No

Speaking order/Non Speaking Order

Note: Issue order copy on 05.01.2022

To

1. The District Munsif,
Dharapuram.
2. The Section Officer,
V.R.Section,
High Court of Madras.



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R.SUBRAMANIAN, J.

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