



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2022

CORAM

THE HONOURABLE MRS.JUSTICE S.ANANTHI

C.R.P(MD) .No.407 of 2022 and

CMP(MD) .No.1808 of 2022

WEB COPY

Shanmugavel

: Petitioner / defendant

Vs.

Mokkaiyan

: Respondent / Plaintiff

PRAYER:- Civil Revision Petition filed under Section 115 of the C.P.C. to set aside the fair and decreetal order, dated 03.09.2021 made in E.P.No.10 of 2018 in O.S.No.18 of 2012 on the file of the Sub Court, Uthamapalayam.

For petitioner

: Mr.K.Guhan

For respondent

: Mr.R.Suriyanarayanan

ORDER

The revision petitioner / respondent / defendant filed this revision to set aside the order, dated 03.09.2021 made in E.P.No.10 of 2018 in O.S.No.18 of 2012, on the file of the Sub Court, Uthamapalayam.

2.The suit is for for recovery of money and the same was decreed on 08.02.2013. The Execution Petition in E.P.No.10 of 2018 was filed by the respondent / plaintiff in the year 2018. Till now, the revision petitioner has not paid any amount.

3.Since the decree passed against the revision petitioner, he has to pay the decree amount to the respondent / plaintiff and the Executing Court cannot go beyond the decree. So, there is no merit in this revision petition. Hence, this Court is not inclined to interfere with the order passed by the Court below.

4.Accordingly, this Civil Revision Petition is dismissed by confirming the order, dated 03.09.2021 made in E.P.No.10 of 2018 in O.S.No.18 of 2012, on the file of the Sub Court, Uthamapalayam. No costs. Consequently, the connected Miscellaneous Petition is closed.

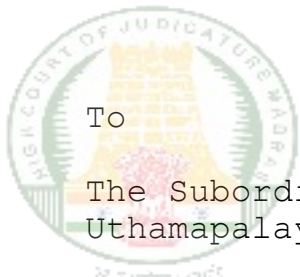
Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



To

The Subordinate Judge,
Uthamapalayam.

+1 CC to M/s.K.GUHAN, Advocate (SR-15007[F] dated 29/03/2022)

C.R.P (MD) .No.407 of 2022 and
CMP (MD) .No.1808 of 2022
28.03.2022

RS (07.04.2022) 2P-3C