



CRP(PD)(MD)No.2455 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 07.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRP(PD)(MD)No.2455 of 2022

and

CMP(MD)No.12004 of 2022

Rajagopal

... Petitioner

versus

K.Subramaniyan

... Respondent

Civil Revision Petition is filed under Article 227 of Constitution of India, against the order dated 26.07.2022 made in E.A.No.2 of 2022 and E.A.No.3 of 2022 in E.P.No.83 of 2019 in O.S.No.250 of 2018 on the file of the learned Subordinate Judge, Lalgudi.

For Petitioner : M/s.C.Abul Kalam Azad

ORDER

This Civil Revision Petition is filed as against the order dated 26.07.2022 made in E.A.No.2 of 2022 and E.A.No.3 of 2022 in



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E.P.No.83 of 2019 in O.S.No.250 of 2018 on the file of the learned Subordinate Judge, Lalgudi.

2. The petitioner is the Judgment Debtor in O.S.No.250 of 2018. The said suit came up before the Lok Adalat, where, the matter was settled and an award was also passed based on the agreement arrived at between the parties. Even thereafter, the petitioner has not complied with the same and therefore, the respondent/Decree-holder filed E.P.No.83 of 2019 to execute the said award, which is also pending from the year 2019. While so, the petitioner has filed interlocutory applications in E.A.Nos.2 and 3 of 2022 to re-open the Execution Petition and to receive his counter affidavit in the Execution Petition. Considering the award passed by the Lok Adalat, the Executing Court, by order dated 26.07.2022, dismissed the above applications. Aggrieved over the same, the present Civil Revision Petition is filed.



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3. Considering the fact that the award passed before the Lok Adalat is a consent order and also considering the fact that the Execution Petition is also pending from the year 2019, this Court is not inclined to entertain this Civil Revision Petition.

4. Accordingly, the Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

07.12.2022

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Index : Yes / No.

Internet: Yes / No.

To

1. The Sub Court,
Lalgudi.



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B.PUGALENDHI, J.

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