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C.R.P.(NPD)No.3763 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2023

CORAM

MR.JUSTICE N.SESHASAYEE

C.R.P.(NPD)No.3763 of 2019
and C.M.P.No.24748 of 2019

R.Ramamurthy

... Petitioner

Vs.

1.S.Maheswaran

Raman (died)

2.R.Krishnan

3.K.Madesh

... Respondents

PRAYER: Petition filed under Article 227 of the Constitution of India, seeking to set aside the fair and decreetal order dated 06.07.2019 passed in R.E.A.No.143 of 2018 in E.P.No.60 of 2018 in O.S.No.10 of 2015 on the file of the Principal District Court, Krishnagiri.



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For Petitioner : Mr.P.Mani

For Respondents : M/s.R.Meenakshi
for R1

No Appearance
for R2 and R3

ORDER

In a suit for specific performance, the revision petitioner wanted himself to be impleaded in an Execution Petition filed for delivery, pursuant to the sale deed executed by the Court while executing a decree for specific performance. This was dismissed by the Execution Court and is now under challenge.

2.Heard both sides.

3.In fitness of things, the revision petitioner has a procedural avenue to raise obstruction, and the Execution Court would be duty bound to enquire his title under Order 21 Rule 97 C.P.C. That right is still open to the revision petitioner and he may approach the Execution Court with any such application, if he is so desirous. Sofar as the present revision is concerned,



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this Court does not inclined to interfere with the order of the Execution

WEB COPY Court.

4. Subject to the observation made herein above, this Civil Revision Petition stands dismissed. No Costs. Consequently, the connected miscellaneous petition is closed.

13.06.2023

Anu

Index : yes / no

Internet : yes / no

Speaking / Non Speaking order

To.

The Principal District Court, Krishnagiri



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N.SESHASAYEE, J.

Anu

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