



C.R.P. No.3449 of 2019 and
C.M.P. No.22656 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2023

CORAM: JUSTICE N.SESHASAYEE

C.R.P. No.3449 of 2019 and
C.M.P. No.22656 of 2019

Varatharaj

... Petitioner

Vs.

Subramaniam

... Respondent

PRAYER: Civil Revision Petition filed under Section 115 of the Civil Procedure Code, 1908 to set aside the fair and decretal order dated 23.09.2019 made in E.P. No.139 of 2018 on the file of the Subordinate Judge, Sathyamangalam made in O.S. No.140 of 2017.

For Petitioner : Mr.S.A.Mohamed Mubarak

For Respondent : Mr.S.Parthasarathy



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ORDER

The present revision is filed challenging the order passed by the execution court dated 23.09.2019 made in E.P. No.139 of 2018 in O.S. No.140 of 2017 directing the arrest of the revision petitioner/judgment debtor.

2. The learned counsel for the revision petitioner submitted that during the pendency of the civil revision petition, both the revision petitioner/judgment debtor and the respondent/decreed holder have agreed to arrive at an amicable settlement, in terms of which, the revision petitioner/judgment debtor/defendant has agreed to make some payment to satisfy the claim, as has been now agreed upon between them.

3. In view of this development, this court suspends the order of the execution court directing the arrest of the revision petitioner so that both the parties could file a Joint Memo before the execution court on or before 10.06.2023 and the order of arrest by the execution court will stand suspended during the term of compliance of the understanding as has been arrived and to be disclosed before the execution court by the parties. In the eventuality of default, the execution court is at liberty to revive the order of arrest.



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4. Accordingly, the civil revision petition is closed. No costs. Consequently, the connected civil miscellaneous petition is closed.

18.04.2023

Asr

To
The Subordinate Judge, Sathyamangalam

N.SESHASAYEE, J.,



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