



C.R.P(MD)No.562 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.03.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P(MD)No.562 of 2023

and

C.M.P(MD)No.2649 of 2023

Jeyaraman

... Petitioner/1st Respondent

Vs.

1.R.Chandrasekaran

... 1st Respondent/Petitioner/
Plaintiff

K.Alagarsamy Naicker (Died)

A.Pappathi @ Muthammal (Died)

A.Rajamani (Died)

2.A.Vellaichamy

... Respondent/5th Respondent/
5th Defendant

3.A.Pappathi @ Mahalakshmi

... Respondent/6th Respondent/
6th Defendant

4.T.Ramamoorthy

... Respondent/7th Respondent/
Auction Purchaser

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the order, dated 10.08.2022 passed in E.A.No.81 of 2019 in E.P.No.37 of 2017 in O.S.No.541 of 2005 on the



C.R.P(MD)No.562 of 2023

file of the Principal District Munsif Court, Dindigul by allowing this civil revision petition with costs.

For Petitioner : Mr.S.Venkatesh

ORDER

The present revision petition has been filed by the judgment debtor in a suit for recovery of money.

2. Pursuant to the money decree, the property of the judgment debtor was sold and the same was also confirmed. Thereafter, the decree holder has filed an application in E.A.No.81 of 2019 to withdraw the decree amount that has been deposited by the auction purchaser. The said application has been allowed by the trial Court. Challenging the same, the present revision petition has been filed.

3. The judgment debtor has not challenged the money decree or the auction proceedings. Therefore, he has no right to challenge the application filed by the decree holder to withdraw the amount that was deposited by the auction purchaser.



C.R.P(MD)No.562 of 2023

4. In view of the above said facts, I do not find any infirmity in the order passed by the trial Court. Hence, this Civil Revision Petition stands dismissed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

03.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

gbg

To

- 1.The Principal District Munsif Court,
Dindigul.
- 2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

R.VIJAYAKUMAR ,J.

gbg



WEB COPY



C.R.P(MD)No.562 of 2023

Order made in
C.R.P(MD)No.562 of 2023

03.03.2023