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C.R.P.(NPD).No.1694 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.(NPD).No.1694 of 2017
and C.M.P.No.7947 of 2017

J.Lashmanan

... Petitioner

VS

1.M/s.Shriram City Union Finance Ltd.,
Rep. by its Authorized Representative
R.Muruganantham
Office at No.6, L.B.Road,
Sorrento Building, 2nd Floor,
Adyar, Chennai-600 020.

2.S.M.Naina Mohideen Fathima

3.Mohammed

4.K.D.Chandra

5.M.Gul Mohammed

... Respondents

Prayer: Civil Revision Petition is filed under Section 115 of the Civil Procedure Code, praying to allow the C.R.P. and set aside the Fair and Decretal order dated 24.02.2017 passed in E.P.No.480 of 2014 in



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ACP.No.667 of 2012 on the file of the X Assistant Judge, City Civil Court at Chennai.

For Petitioner : Mr.M.Premkumar
For R1 : Mr.N.Gnanalingam
For R2 to R5 : Not Ready in Notice

ORDER

The Civil Revision Petition is filed challenging the order passed by the Executing Court closing the execution petition in E.P.No.480 of 2014 against the petitioner.

2. The learned counsel for the petitioner submits that an order of attachment has been passed against the petitioner for deducting a sum of Rs.5000/- towards cost of arbitration. The Executing Court while passing the order has not mentioned any time limit for deducting the amount from the salary of the petitioner and the order of attachment cannot go beyond the period of 24 months.

3. It is seen from the impugned order the order of attachment was



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already passed against the 2nd respondent under the impugned order, the execution petition was closed against the petitioner. Therefore, the petitioner cannot be aggrieved by the order closing execution petition against him. The order of attachment passed against the petitioner is not impugned in this revision. In such circumstances, the Civil Revision Petition is closed with liberty to the petitioner to challenge the order of attachment passed against the petitioner. No costs. Consequently, the connected civil miscellaneous petition is closed.

27.02.2024

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
dm

To

The X Assistant Judge,
City Civil Court, Chennai.



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S.SOUNTHAR, J.

dm

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