



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-06-2025

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CORAM

THE HONOURABLE MR. JUSTICE V. LAKSHMINARAYANAN

CRP NO. 507 of 2007

1. K. Rajamani

2. P. Amsavenii

3. S. Meenalochani

Petitioner(s)

Vs

M/s. Cheran Chit Funds Pvt. Ltd.,
D-78-85, Government Arts College Road,
Cheran Towers,
Coimbatore.

Respondent(s)

Prayer: This Civil Revision Petition has been filed under Section 115 of CPC to set aside the order in E.A. No.433 of 2005 in E.P.No.191 of 2003 in Arbitration Case No.452 of 1999 dated 11.09.2006 on the file of the First Additional District Munsif, Coimbatore.

For Petitioner(s) : M/s. S. Sasikala

For Respondent(s): No Appearance



ORDER

This Civil Revision Petition is at the instance of the judgment debtors, who filed an application in E.A.No.433 of 2005 in E.P.No.191 of 2003 in Arbitration Case No.452 of 1999 on the file of the First Additional District Munsif, Coimbatore. His grievance was that the award had been passed with the principal amount of Rs.7,500/- together with an interest of 36%, therefore he wanted the Court to reduce it to 6%. Despite the opposition of the decree holder saying that the Executing Court cannot reduce the interest, the Executing Court held in paragraph no.6 of the order that the judgment debtors are liable to return the principal amount of Rs.7,500 together with interest at the rate of 6%, giving liberty to both parties to file a fresh memo of calculation. With the above observation, the petition came to be dismissed, vide an order dated 11.09.2006. Challenging the same, the judgment debtors are on revision.

2. Heard Ms.S.Sasikala, the learned counsel appearing for the civil revision petitioners/ judgment debtors.

3. For a person to file a revision, he must be a person aggrieved. A successful party certainly cannot present a revision. The grievance of the petitioners before the Execution Court was that the 36% given as interest by the Arbitrator is erroneous and it has to be reduced to 6%. The learned Executing Judge also agreed to the said proposition. If at all anybody should be aggrieved by the order, it is the decree holder and not the judgment debtors. Surprisingly, the



judgment debtors have filed a revision and obtained stay of all further proceedings in the execution. As the relief that the petitioners had sought for had been granted by the Trial Court, I do not think the judgment debtors/ civil revision petitioners can be considered as aggrieved persons.

4. In view of the above, this Civil Revision Petition is dismissed. There shall be no order as to cost.

02-06-2025

stn

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

1. The I Additional District Munsif,
Coimbatore.

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