



CRP.No.452 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

Dated 28.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

CRP.No.452 of 2024
and CMP.No.2159 of 2024

E.Thiyagarajan

... Petitioner

Versus

1.Hariharan
2.Baby

... Respondents

PRAYER : Petition filed under Section 115 of Code of Civil Procedure, to set aside the order in E.A.No.228 of 2017 in EP.No.49 of 2010 in O.S.No.392 of 1997 dated 06.11.2023 on the file of the District Munsif, Alandur.

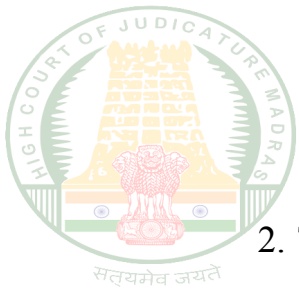
For Petitioner : Mr.B.Sivaraman

For Respondents : Mr.S.Mohana Sundara Rajan for R1
R2 – Deceased

ORDER

Today, this matter is posted under the caption, for reporting settlement.

When the case was taken up the learned counsel submitted that there is no chance for settlement.



2. This revision has been filed against the order allowing the application to

remove the obstruction caused by the revision petitioner.

3. The revision petitioner has purchased the property on 28.12.2012 from one Mr.Thambidurai, who was a purchaser from the first defendant in the suit. The said property is subject matter of the suit in O.S.No.392 of 1997 and the suit has been decreed and reached finality. The suit was decreed in the year 2008 and EP has been filed in the year 2010. After the EP, the revision petitioner appears to have purchased the property. According to him, the suit property is a different property other than the present suit property. There is no materials whatsoever placed before the Court. It is relevant to note that the revision petitioner claims to have purchased the property from his vendor who has purchased the property from the first defendant namely the judgment debtor in the year 2012. Now, he projects as if what he has purchased is a different property which has not been established. When the judgment debtor who has lost the title to an extent of 2986 sq.ft., they have no other property to sell. Question of purchasing the property from the same judgment debtor is highly improbable. At any event, the revision petitioner cannot have any better footing than predecessor in title, who is judgment debtor.



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4. Hence, this Court finds no merits in this revision and accordingly, this

revision stands dismissed. No costs.

28.01.2025

Internet : Yes/No

Index : Yes/No

dhk

To

The District Munsif
District Munsif Court, Alandur



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