



CRP.No.3148 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated 24.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

CRP.No.3148 of 2023
and C.M.P.No.3148 of 2023

Patel Trading Corporation
Represented by A.Ghouse Basha (Proprietor)
S/o.A.Abdul Munaf
No.8, Rakkiappa Street
Mylapore, Chennai – 600 004

... Petitioner

Versus

M/s.Margadarsi Chits Private Limited
No.A 152, Kumaran Building
3rd Avenue, Anna Nagar
Chennai – 600 040

... Respondent

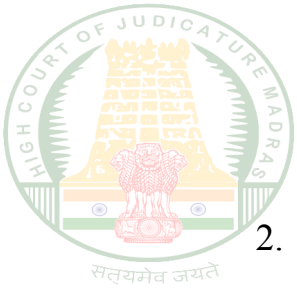
Prayer: Petition filed under Article 227 of the Constitution of India to set aside the fair order dated 20.09.2022 in E.A.No.3972/2018 in EP.No.2415/2016 in ARC.No.658/2012 on the file of the IX Assistant Judge, City Civil Court, Chennai.

For petitioner : Mr.Raj Kumar Paul
For respondents : Mr.D.Shivakumaran

ORDER

Challenging has been made to the order dismissing the application filed under Section 47 of CPC, the present revision has been filed.

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2. Award has been passed in ARC.No.658 of 2012 dated 28.10.2015.

Pursuant to the said award, execution petition has been levied by the award holder for arrest of judgment debtors 3 and 5 for realisation of EP claim amount of Rs.19,25,175/- . The petitioner is the first defendant in ARC.No.658 of 2012 and no relief is sought against the first respondent in the execution petition. However, the first respondent has filed the application under Section 47 of CPC claiming discharge on the basis of his own calculation particularly, when no relief is sought against him in the execution petition. The Trial Court had dismissed the application. Hence, the revision.

3. Heard both sides and perused the materials placed on record.

4. At the outset, this Court is at loss to understand as to how this revision is maintainable. Execution Petition is levied against the judgment debtors 3 and 5. The revision petitioner is the first judgment debtor and no relief is sought against the first judgment debtor in the execution petition, whereas, the revision petitioner has filed an application under Section 47 of CPC which was dismissed and the present revision has been filed as against the dismissal order, which in view of this



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Court is not maintainable.

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5. Such view of the matter, this revision stands dismissed as not maintainable. No costs. Consequently, connected miscellaneous petition stands closed.

24.06.2025

Index : Yes / No
Speaking/non speaking order
dhk

To

1. The IX Assistant Judge
IX Assistant City Civil Court, Chennai

2. The Section Officer
VR Section, Madras High Court



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N.SATHISH KUMAR, J.

This Civil Revision Petition has been listed today under the caption 'for being mentioned' at the instance of the learned counsel appearing for the petitioner.

2. On hearing the learned counsel appearing for the petitioner, this Court is of the view that no further clarification is required.

30.06.2025

vrc



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