



CRP No. 1720 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 02.07.2025

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

CRP. No.1720 of 2025

and

CMP No.9935 of 2025

R. Subramani

... Petitioner

Vs.

M/s. DBFS Finance and Leasing India Ltd.,
rep. By its Senior Manager,
Mr. Jenso P.J.

... Respondent

Prayer : Civil Revision petition has been filed under Section 115 of CPC to set aside the order passed in Rep No.23 of 2024 in Ar.O.P.No.1 of 2022 dated 24.01.2025 on the file of the Commercial (senior civil Judge), Salem

For Petitioner : Mr. Munuraj G

For respondent : Mr.D.Venkatachalam

ORDER



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WEB COPY The Attachment order passed by the Executing Court in R.E.P.No.23 of 2024 in Ar.O.P.No.1 of 2022 is challenged before this revision.

2. During the earlier hearing, when this Court directed the parties to settle the matter, the revision petitioner expressed his willingness to pay a sum of Rs.14 lakhs in full quit, including Rs.3 lakhs already deposited.

3. The learned counsel for the respondent initially agreed, however, he later submitted that the earlier agreement was made under a mistaken impression. He was under the impression that the settlement amount of Rs.14 lakhs was exclusive of Rs.3 lakhs already deposited and there was a miscommunication in that regard. However, the respondent is agreeable to settle the E.P. amount.

4. The Execution Petition has been levied for a sum of Rs.12,12,037.06 with interest at the rate of 17.5% per annum. As per the award, the total amount payable comes to Rs.17,20,981. Taking note of the fact that now though the outstanding E.P. Amount is Rs.17,20,981/-, the parties are willing



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to settle the matter once for all for a sum of Rs.14,50,000/- and give quietus to the entire issue.

5. Though the learned counsel for the petitioner has also filed an affidavit before this Court stating that the petitioner is willing to deposit a sum of Rs.11,00,000/-, now he is ready to pay a sum of Rs.11,50,000/- as full quit within a period of six weeks, since they already deposited a sum of Rs.3,00,000/- to the credit of the Execution Petition.

6. Accordingly,

(i) the revision petitioner is directed to deposit a sum of Rs.11,50,000/- to the credit of the Execution Petition on the file of the Executing Court, within a period of six weeks from today, i.e., on or before 18.08.2025.

(ii) On such deposit, E.P shall stand terminated; the order of attachment shall be raised and communicated to the office of the concerned Registrar;

(iii) and the decree holder is entitled to withdraw the entire deposited amount.

(iv) In the event of failure to deposit the said amount within the stipulated time, the Execution Petition shall proceed further in accordance with law.



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7. With the above directions, this Civil Revision Petition is disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

02.07.2025

mrp

To

1. VIII Small Causes Court, Chennai
2. XIII Small Causes Court, Chennai.



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N. SATHISH KUMAR, J.

mrp

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