



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-11-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 6115 of 2025

and

CMP No. 30078 of 2025

Sundara Gopal,
S/o. Late Chellamuthu,
Door No.21/75-7, Kambaikadai,
Happy Valley, Kotagiri Taluk,
The Nilgiris.

Petitioner(s)

Vs

Leelavathy,
W/o. Sethu Madhavan,
Door No.4/246, Kappatty,
Kannaerimukku Post,
Kotagiri Taluk, The Nilgiris

Respondent(s)

PRAYER: Civil Revision Petition filed under Section 115 of Code of Civil Procedure to set aside the Fair and Final Order dated 27.03.2025 passed by the Learned Subordinate Court of the Nilgiris at Coonoor in E.A.No.3 of 2025 in E.P.No.10 of 2022 in O.S.No.92 of 2019.

For Petitioner(s): Mr.L.Mouli



ORDER

Heard Mr.L.Mouli, learned counsel for the revision petitioner.

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2. The learned counsel for the revision petitioner/decreed holder submits that the Executing Court has dismissed the application filed by the decreed holder, seeking reduction of upset price of the execution petition property from Rs.30,00,000/- to Rs.18,00,000/-. Referring to the Amin's report, the learned counsel for the petitioner submits that without any enquiry or relevant documents supporting the valuation, the Amin, merely based on the certificate from the Village Administrative Officer, has fixed the value of property at Rs.34,00,000/-.

3. I am satisfied that the valuation of Rs.34,00,000/- has been made without taking into consideration of any of the relevant considerations.

4. The respondent has not chosen to appear and contest the proceedings before the Executing Court. Hence, I am inclined to dispense with notice to the respondent in the revision petition.

5. Be that as it may, even according to the revision petitioner, he entered into an agreement of sale to purchase the property even in the year 2018 for a



sum of Rs.18,70,000/- and in such circumstances, to contend that in the year 2025, the value of the property is still at Rs.18,00,000/- cannot be countenanced. However, considering the fact that there has been a passage of 7 years from the date of agreement, I am inclined to entertain the application filed by the revision petitioner, by directing the trial Court to reduce the upset price from Rs.30,00,000/- to Rs.25,00,000/- and thereafter, shall proceed with the sale of the property in accordance with law.

6. With the aforesaid terms, this Civil Revision Petition is allowed and the order in E.A.No.3 of 2025 is set aside. No costs. Consequently, connected Miscellaneous Petition is closed.

28-11-2025

Jd
Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No

To
The Learned Subordinate Court of the Nilgiris, Coonoor.



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P.B.BALAJI J.
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