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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2025

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THE HONOURABLE MR JUSTICE P.B. BALAJI

CRP.No.600 of 2025
and CMP. No.3374 of 2025

1.Dr.Amirtha Sulthana
2.Begamjan

... Petitioners

Vs.

1.A.Seetharaman
2.M/s.Meolc Meet & Margrel Institution,
Rep by Dr.A.Ghouse Khan,
S/o.Late F.K.Abdul Khan,
HIG-138, Avalapalli Adco, Munidevi Nagar,
Hosur Post & Taluk, Krishnagiri District.

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the docket order dated 30.10.2024 made in R.EP.No.184 of 2019 in O.S. No.42 of 2010 on the file of the learned Principal District Judge, Krishnagiri.

For Petitioners : Mr.S.Viswanathan

For Respondents : Mr.T.S.Baskaran for R1



ORDER

This Civil Revision Petition is filed to set aside the docket order dated 30.10.2024 made in R.EP.No.184 of 2019 in O.S. No.42 of 2010 on the file of the learned Principal District Judge, Krishnagiri.

2. Heard Mr.S.Viswanathan, learned counsel for the petitioners and Mr.T.S.Baskaran, learned counsel for the first respondent.

3. The revision petitioners challenge the order of the Executing Court directing attachment of the properties belonging to the revision petitioners. The learned counsel for the revision petitioners states that there was an agreement of sale between the father of the first petitioner and the first respondent, Mr.A.Seetharaman. However, the agreement holder did not seek to enforce the agreement of sale and opted for refund of the advance amount paid by him. The suit was admittedly decreed for Rs.24,00,000/- together with interest at 15% per annum, till repayment and in order to recover the monies due and payable from the defendants, REP. No.184/19 was filed. On 30.10.2024, according to the learned counsel for the petitioners, the petitioners were ready to tender a sum of Rs.8,00,000/-, however the payment was refused to be received by the decree holders and



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recording the same, the Executing Court has directed the order of attachment already made to be given effect to and directed batta to be paid within three days, challenging the said order, the present revision is filed.

4. The learned counsel for the respondents would submit that being a mortgage suit, the entire money had to be paid in one lumpsum and therefore, the tendered amount of Rs.8,00,000/-, was refused to be received by the decree holder and he would therefore state that there is no infirmity in the order of the Executing Court. In fact, the order being only a consequential order to give effect to the attachment order already passed in the Execution Petition, he would therefore pray for dismissal of the suit.

5. Pending the revision, the parties have also attempted to reconcile their differences, however there appears to be no meeting point. In the light of the above, I am inclined to direct the petitioners to pay the remaining amounts on or before 31.03.2026, in terms of the decree. It is open to the petitioners to re-tender the amount of Rs.8,00,000/- which was tendered on 30.10.2024 before the Executing Court and if such tender is made, the same

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shall be received by decree holders, in part satisfaction. The order of



attachment shall be kept in abeyance till 31.03.2026.

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6. With the above direction, this Civil Revision Petition is **allowed**. It is made clear that in the event of any default committed by the petitioners i.e., not settling the decree amount by 31.03.2026, the Execution Petition shall be proceeded with and the attachment order which is already been passed shall be given effect to immediately. Consequently, connected Miscellaneous Petition is also closed. No costs.

09.12.2025

Internet : Yes/No
Index : Yes / No
Neutral Citation: Yes/No
rkp
To

The Principal District Judge, Krishnagiri.

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