



C.R.P.(NPD)(MD).No.391 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2025

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P.(NPD)(MD).No.391 of 2025
and CMP(MD).No.2246 of 2025

P.Manokaran (died)

1.Arul Mozhi Selvi

2.S.Karthika Mano

3.M.Prem Mano

.... Petitioners/Respondents
/Defendants

-vs-

P.Palsamy

...Respondent/Petitioner
/Plaintiff

PRAYER: The Civil Revision Petition has been filed under Section 115 of C.P.C to set aside the order dated 04.02.2025 passed by the Sub Court, Sattur in E.P.No.61 of 2024 in O.S.No.39 of 2022.

For Petitioner : Mr.A.Manikandan

For Respondent : Mr.N.Tamilmani



C.R.P.(NPD)(MD).No.391 of 2025

WEB COPY

ORDER

The defendants in O.S.No.39 of 2022 on the file of the Subordinate Court, Sattur has filed the present civil revision petition challenging the order of arrest passed by the trial Court as against the first defendant (garnishee) for non production of salary certificate.

2.The respondent herein as plaintiff, has filed the above said suit for the relief of recovery of money based upon a pro-note said to have been executed by Mr.P.Manokaran and his wife Arul Mozhi Selvi. Pending suit, the said Manokaran had passed away and their children were impleaded as defendants 3 and 4. A decree came to be passed on 10.04.2024. The first petitioner herein, who is also of the first judgment debtor, was in-charge Headmaster of the School and therefore, she was also acting in the capacity of garnishee. When the Court called upon the first defendant to produce the salary certificate, the garnishee was not inclined to do. Hence, an order of arrest was issued. Challenging the same, the present civil revision petition has been filed.



C.R.P.(NPD)(MD).No.391 of 2025

3.It is represented on either side that pending civil revision petition, the first defendant/garnishee has produced the salary certificate before the trial Court. Therefore, the order of arrest has been recalled. In such circumstances, nothing survives to be adjudicated in the present civil revision petition. Based upon the salary certificate, the Executing Court shall proceed in accordance with law.

4.With the above said observations, this civil revision petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

17.04.2025

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
msa

To

1.The Subordinate Judge,
Sattur

2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

R.VIJAYAKUMAR, J

3/4



WEB COPY



C.R.P.(NPD)(MD).No.391 of 2025

msa

C.R.P.(NPD)(MD).No.391 of 2025
and CMP(MD).No.2246 of 2025

17.04.2025