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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 03.04.2025

CORAM

**THE HON'BLE MR. JUSTICE R.VIJAYAKUMAR**

**C.R.P.(NPD)(MD)No.659 of 2025**

**and**

**C.M.P(MD)No.3538 of 2025**

T.Rajeshwari

...Petitioner/Judgment Debtor/Defendant

Vs.

K.Dharmar

...Respondent/Decree Holder/Plaintiff

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the Fair order and Decretal order dated 30.01.2025 made in E.P.No.39 of 2022 in O.S.No.51 of 2017 on the file of the Additional District Court, Ramanathapuram, and allow this Civil Revision Petition.

For Petitioner : Mr.G.Sridharan

For Respondent : Mr.M.Thirunavukkarasu

\* \* \* \* \*

**ORDER**

The judgment debtor in O.S.No.51 of 2017, on the file of the Additional District Court, Ramanathapuram, has filed the present revision petition challenging the order of sale passed in E.P.No.39 of 2022.



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2.A perusal of the records reveal that the suit has been filed for the relief of recovery of money based upon mortgage. A preliminary decree came to be passed and pursuant to a final decree, the trial Court has passed an order to effect the sale of the property. Challenging the same, the present revision petition has been filed.

3.Pending revision petition, the judgment debtor had filed an affidavit of undertaking dated 03.04.2025. Paragraph No.4 of the said affidavit is extracted as follows:-

*“I respectfully submit that I undertake to pay the balance decree amount within a period of 6 months, i.e. on or before 03.10.2025, to the respondent directly through demand draft.”*

4.The judgment debtor has undertaken to pay the entire decree amount along with the interest upto the date of payment after deducing the amount which was already been paid to the decree holder.

5.In view of the above said undertaking letter, the order of sale passed by the trial Court shall be kept in abeyance till 03.10.2025. In case of any default, the executing Court shall proceed in accordance with law.



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6. With the above said observations, this Civil Revision Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

**03.04.2025**

**1/2**

Internet: Yes/No

Index: Yes/No

RJR

To

The learned Additional District Judge,  
Ramanathapuram.

**Copy to:-**

The Section Officer,  
VR Section,  
Madurai Bench of Madras High Court, Madurai.



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**R.VIJAYAKUMAR, J.**

RJR

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**03.04.2025**

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