



WEB COPY

CRP No.728 of 20_ .



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.01.2026

CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI

CRP No.728 of 2024 and CMP No.3680 of 2024

1.M.Kalidas

2.K.Djeabery

... Petitioners

Vs.

1.Dhanalakshmi Srinivasan Chit Funds (P) Ltd
Kottakuppam Branch, represented by its Foreman K.Muruganandam
Having Office at No.120, M.G.Road,
Kottakuppam, Vanur Taluk, Villupuram District

2.A.Savio Rozar

3.Sivakumar

4.M.Kalidasan

5.A.Pugalendhi

6. The Managing Director,
Pondicherry Market Committee,
(Agricultural) Thattanchavady, Pondicherry.

7. The Deputy Secretary,
(Establishment Section),
Chief Secretariat Office,
Beach Road, Pondicherry-1.

8. The Vice Principal,
Maraimalai Adigal Government Higher Secondary School,
Embalam, Pondicherry.

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9. The Deputy Director,
Office of the Deputy Director (E.S.I.)
Moopanar Complex, Indira Nagar,
Gorimedu, Pondicherry-6.

10. The Managing Director,
Adi Dravidar Welfare & Scheduled Tribes
Welfare Department,
Govt. of Pondicherry, 3rd Floor,
Thattanchavady, Pondicherry-9

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India against EP No.222 of 2023 in D.R.A.No.71/2021 on the file of Principal District Judge, Puducherry dated 01.06.2023 duly taken out for attachment of salary of the respondents 2 to 5.

For Petitioner : Mr.Ashokkumar D.

For Respondents : Mr.Y.Jyothish Chander

ORDER

Heard Mr.D.Ashokkumar the learned counsel for the petitioner and Mr.Y.Jyothish Chander, the learned counsel for the contesting first respondent.

2. Mr.D.Ashokkumar, learned counsel for the petitioner states that the petitioner is the principal borrower/Chit Subscriber who was lured into taking the Chit by one Shankar in respect of which police complaint has

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been given by the petitioner.

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3. It is the case of the petitioner that the petitioner has not received a single paise as benefit from Chit Company and therefore, the petitioner cannot be proceeded against when fraud has been played and the petitioner has been taken for a ride by the said Sankar, according to the learned counsel for the petitioner, in collusion with the officials of the petitioner/deGREE holder. He would therefore state that the execution petition should not be proceeded with till the conclusion of the criminal proceedings initiated by the petitioner against Sankar and others.

4. Per contra, learned counsel for the respondent taking me through the complaint lodged by the petitioner himself would contend that the petitioner has not made any allegations against the decree holder and all the allegations are directed against the third party one Sankar, who according to the petitioner, has misused the cheque.

5. However, on going through the police complaint lodged by the petitioner himself, I find that there is no allegation against the decree holder and in fact, the petitioner has appeared through counsel before the Award

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came to be passed. He was also represented by a counsel in the executing court. Moreover, as pointed out by the learned counsel for the respondent, the execution petition has been filed only seeking for attachment of salary of the petitioner and also the guarantors who are arrayed as judgment debtors 3,4,5 and 6.

6. I do not see any necessity for the executing court to await the outcome of the criminal proceedings, In fact, the learned counsel for the respondent also brings to my notice that he understands that the complaint has been closed as well. In any event, I do not find that the criminal case will come in the way of the decree holder executing the award in its favour and the execution petition will have to be disposed of in the manner known to law.

7. Admittedly, the petitioner, who has been arrayed as first respondent and the petitioner can always file his counter and set out his objections and it shall be considered by the executing court objectively before passing any orders in the Execution Petition on merits.

8. The Execution Petition shall be decided on or before 30.06.2026.



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9. With the above observation, the civil revision petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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Neutral Citation: Yes/No
Speaking Order/Non-speaking Order
Index : Yes / No
sr

To

The Principal District Judge, Puducherry



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P.B.BALAJI,,J

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