



WEB COPY

CRP No. 1701 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 1701 of 2026

AND

CMP NO. 7826 OF 2026

1. Shanmugam
S/o.Ponnan,
Naginatham Colony,
Main Road, Ganga Nayakkan Kuppam,
Annavalli Post,
Cuddalore Taluk.
2. Thamilselvi
W/o.Shanmugam,
Naginatham Colony,
Main Road, Ganga Nayakkan Kuppam,
Annavalli Post,
Cuddalore Taluk

..Petitioner(s)

Vs

Rajasekaran
S/o.Ramakrishnan,
No.21, Malai Street,
Vellakarai Colony,
Vellakarai Post,
Cuddalore Taluk.

..Respondent(s)

PRAYER

Civil Revision Petition filed under Art.227 of Constitution of India,
praying to set aside the Docket Order dated 26.02.2026 made in EP.No.174 of
2024 in OS.No.89 of 2022 on the file of the I Additional Sub Court, Cuddalore



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For Petitioner(s):

Mr.N.Krishnakumar

for M/s.Sarvabhauman Associates

For Respondent(s):

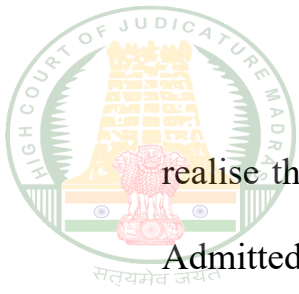
Mr.K.Raveendran

ORDER

Challenging the impugned docket order passed in E.P.No.174 of 2024 in O.S.No.89 of 2022 by the I Additional Sub-Court, Cuddalore, the Revision Petitioners/Judgment Debtors have preferred this Civil Revision Petition praying to vacate the attachment order of salary made by the Executing Court in E.P.No.174 of 2024 filed by the respondent/deGREE holder.

2. The learned counsel for Revision Petitioners would submit that without proper service of notice, the respondent/plaintiff obtained an order of ex parte decree and to execute the decree, he filed the Execution Petition before the Executing Court and attached their salary as such is erroneous one. Hence, he prayed to set aside the findings of trial judge.

3. On perusal of records, the fact reveals that the condone delay application filed by the Revision Petitioners was allowed, but the decree has not be set aside as on date. Admittedly, the revision petitioners/defendants are husband and wife. The 1st revision petitioner is a Government employee and as per the respondent/plaintiff's case, he borrowed a sum of Rs.2,00,000/- on the execution of pronote. However, ever since the respondent/plaintiff approached the court in the year 2022, he is not able to



realise the fruits of the decree, since the revision petitioners remained exparte.

Admittedly, the 1st revision petitioner is the Government Surveyor, but as on date, his salary is attached to execute the decree. So, considering the fact that still they are taking steps to set aside the exparte decree, this Court is inclined to give one more opportunity to them. Therefore, the Revision Petitioners are directed to deposit a sum of Rs.1,00,000/- (Rupees one lakh only) into the credit of E.P.No.174 of 2024 before the Executing Court within a period of four weeks from the date of receipt of copy of this order. On such deposit, the attachment of salary is directed to be raised thereafter. With that direction, this Civil Revision Petition is disposed of. No costs. Consequently, connected civil miscellaneous petition is closed.

08-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

RPP

To

The I Additional Sub-Court, Cuddalore.



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T.V.THAMILSELVI J.

RPP

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