



WEB COPY

CRP No. 4544 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-02-2026

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 4544 of 2025

1. C.Sivakumar
Proprietor M/s. Vasantham Infrastructures,
No 25, North Mada Street, Tirumullaivoyal,
Chennai 600 062.

2. S.Manjula

Petitioner(s)

Vs

K.Saravanan

Respondent(s)

PRAYER: Civil Revision Petition filed under Section 115 of Code of Civil Procedure, to set aside the fair and decreetal order dated 12.08.2025 passed in E.A.No.1 of 2024 in E.P No. 63 of 2024 in O.S.No.634 of 2022 by the I Additional District Judge, Tiruvallur.

For Petitioner(s): Mr.K.Venkateswaran

For Respondent(s): Mr.G.Prakash

ORDER

Heard Mr.K.Venkateswaran, learned counsel for the petitioners and Mr.G.Prakash, learned counsel for the respondent.



2. The petitioners have moved an application in E.A.No.1 of 2024 in E.P.No.63 of 2024, seeking to pay the decree amount of Rs.56,30,872/- by way of monthly installment of Rs.1,00,000/- to the respondent/decree holder. The said application was dismissed by the Executing Court. Against which, the present civil revision petition has been filed.

3. The learned counsel for the revision petitioners state that the petitioners are now willing to pay a sum of Rs.2,50,000/- per month and close down the matter. He also brings to my notice that the out of decree amount of Rs.61,30,872/-, further money has been paid and as on today a sum of Rs.51,30,872/- is due and payable by the petitioners.

4. Mr.K.Venkateswaran, learned counsel for the petitioners state that the said amount would be cleared by monthly equal payments of Rs.2,50,000/- with the last instalment clearing the entire balance and due.

5. However, Mr.G.Prakash, learned counsel for the respondent opposed the said request, stating that the petitioners on the one hand seeking time to comply with the decree and on the other hand, they are encumbering the property. If such alienation and encumbrances are permitted, the respondent/decree holder would be high and dry. In the event of the petitioners



committing default in payment of the agreed amount, especially when close to two years time as sought for satisfying the decree amount.

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6. I have heard the arguments advanced by the learned counsel on either side and perused the materials placed on record.

7. Considering the fact that the amount due is Rs.51,30,872/- payable by the petitioners, this Court passes the following directions:

(i) The petitioners are directed to pay the decree amount by way of monthly instalment of Rs.3,00,000/- and the last instalment being Rs.3,30,872/-.

(ii) The petitioners are also liable to pay the interest at 9% per annum from today in respect of the delay in payment.

(iii) It is also made clear that there shall be no further encumbrance by way of mortgage or sale, till such time the entire amount of Rs.51,30,872/- is settled to the respondent.

8. With the above directions, this Civil Revision Petition is disposed of.

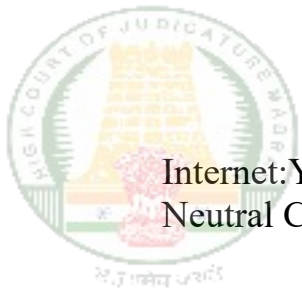
No costs.

20-02-2026

Jd

Index: Yes/No

Speaking/Non-speaking order



Internet: Yes

Neutral Citation: Yes/No

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P.B.BALAJI J.
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To
I Additional District Judge, Tiruvallur.

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