



C.R.P.(MD)No.2833 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.02.2026

CORAM

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

C.R.P.(MD)No.2833 of 2025

R.Krsna Murtii

... Petitioner

-VS.-

Tamil Nadu Small Industries Development
Corporation Limited,
Chennai,
represented by its Branch Manager,
Trichy

...Respondent

PRAYER: Civil Revision Petition is filed under Section 115 of the Code of Civil Procedure to set aside the fair and decretal order, dated 30.07.2025 made in E.A.No.7 of 2025 in E.P.No.218 of 2018 in O.S.No.168 of 1989 on the file of the learned I Additional Subordinate Court, Trichy and allow this Civil Revision Petition.

For Petitioner	:Mr.R.Krsna Murtii Party-in-person
For Respondent	:Mr.F.Deepak Special Government Pleader for Mr.S.Ramesh



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ORDER

The present Civil Revision Petition has been filed challenging the order passed by the learned I Additional Subordinate Judge, Trichy, in E.A.No.7 of 2025 in E.P.No.218 of 2018 in O.S.No.168 of 1989, dated 30.07.2025.

2.Heard Mr.R.Krsna Murtii, petitioner/party-in-person and Mr.F.Deepak, learned Special Government Pleader representing Mr.S.Ramesh, learned Standing Counsel for the respondent.

The briefs facts of the case are as follows:

3.The Revision Petitioner has originally filed a suit in O.S.No.168 of 1989 before the Subordinate Court, Pudukottai, against the respondent herein, for recovery of a sum of Rs.80,000/- towards repair and construction costs. After trial, the said suit was dismissed by the learned Subordinate Judge, Pudukottai, vide judgment and decree, dated 16.02.1995. Thereafter, the petitioner has preferred an appeal before this Court in A.S.No.418 of 1994 and this Court vide judgment, dated 21.07.2010, had remanded the matter back to the trial Court. After remand, the learned Subordinate Judge, Pudukottai, vide



judgment and decree, dated 31.10.2011, had decreed the suit.

4.Challenging the judgment and decree passed by the learned Subordinate Judge, Pudukottai, dated 31.10.2011, the respondent herein has preferred an appeal in A.S.No.9 of 2011 before the Additional District Court, Pudukottai. The learned Additional District Judge, Pudukottai, vide judgment and decree, dated 20.11.2013, had dismissed the appeal preferred by the respondent and confirmed the judgment and decree passed by the trial Court. Thereafter, the petitioner/decreed holder has filed an Execution Petition in E.P.No.5 of 2012 before the Subordinate Court, Pudukottai for attachment and sale of properties of the judgment debtor. As per the order passed by this Court in Tr.C.M.P(MD)No.77 of 2014, the execution petition, which was filed before the Subordinate Court, Pudukottai, was transferred to the Subordinate Court, Trichy and the petition was taken on file in E.P.No.218 of 2014 on the file of the Additional Subordinate Court, Trichy.

5.Thereafter, the respondent herein has filed Revision Petition before this Court in C.R.P(MD)No.571 of 2020 to strike out the petition in E.P.No.



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218 of 2014 in O.S.No.168 of 1989 pending on the file of the II Additional Subordinate Court, Tiruchirappalli. This Court, vide order, dated 14.03.2022, had passed the following order:

“46.In the result, the Civil Revision Petition is allowed and the execution petition in E.P.No.218 of 2014 in O.S.No.168 of 1989 and the entire execution proceedings, on the file of II Additional Subordinate Court, Tiruchirappalli are quashed. The petitioner is directed to pay cost of Rs.2,00,000/-(Rupees Two Lakhs only) to the respondent within a period of four weeks from the date of receipt of a copy of this order and the respondent is also permitted to withdraw the amount deposited by the petitioner at the Executing Court. The petitions in C.M.P.(MD)SRNo.63612 of 2021 and Cont.P.(MD)SR.No.30335 of 2021 are rejected. Consequently, the connected Miscellaneous Petition is closed.”

6. Thereafter, the petitioner herein has filed an application in I.A.No.7 of 2025 in E.P.No.218 of 2014 in O.S.No.168 of 1989 before the I Additional Subordinate Court, Trichy, claiming a sum of Rs.4,22,780/- from the respondent as on 15.04.2025. The learned I Additional Subordinate Judge, Trichy, vide impugned order, dated 30.07.2025, had dismissed the said application by holding that the respondent has paid the entire amount, as directed by this Court in C.R.P(MD)No.571 of 2020, dated 14.03.2022. Further, the petitioner has also filed a full satisfaction memo to the effect that he has received a sum of Rs.19,07,000/- from the respondent. Challenging the



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same, the present Civil Revision Petition has been filed.

7.Mr.R.Krsna Murtii, petitioner/party-in-person, contended that the impugned order passed by the learned I Additional Subordinate Judge, Trichy, is against law. He also contended that the Court below has taken into account the false date of filing of the suit as 10.04.1989, as given by the respondent, instead of 10.01.1989. He also submitted that the order passed by the Court below is vitiated by errors of jurisdiction and that the Court below has not taken into consideration the documents filed in support of the application filed by him. It is also his submission that without considering the affidavit filed in support of his application as well as the documents produced, the Court below has erroneously passed the impugned order, which is *per se* illegal and sought interference of this Court.

8.*Per contra*, Mr.F.Deepak, learned Special Government Pleader appearing for the respondent submitted that as per the directions of this Court in C.R.P(MD)No.571 of 2020, the respondent has paid the entire amount to the petitioner and even after accepting the said amount, the petitioner has now



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again knocking the doors of the Court, only with an intention to wasting the Courts' time. The learned Special Government Pleader further submitted that when two dates were available in the original decree, the calculation has been made from 10.04.1989, which is the earliest date and the entire amount has been settled, which was duly acknowledged by the revision petitioner, which is evident from the counter filed in E.A.No.7 of 2025.

9.The learned Counsel for the respondent further pointed out the acknowledgement memo filed by the revision petitioner in E.P.No.218 of 2014. In the said memo, dated 18.02.2025, the revision petitioner had acknowledged the receipt of Rs.2,00,000/-, which was duly received by him in his account having account in State Bank of India on 27.11.2024. He vehemently contended that the petitioner is a Court bird, as he has filed petitions after petitions only with an intention to wasting the precious time of the Court as well as the respondent, which must be deprecated by this Court. Hence, he seeks dismissal of this petition.

10.Heard both sides and perused the materials available on record.



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11.From the perusal of the records, it is revealed that the petitioner has filed a suit in O.S.No.168 of 1989 before the Subordinate Court, Pudukottai, against the respondent herein, for recovery of a sum of Rs.80,000/- towards repair and construction costs, which was decreed on 31.10.2011 and was confirmed by the learned Additional District Judge, Pudukottai in A.S.No.9 of 2011, vide judgment and decree, dated 20.11.2013. When an execution petition was filed, the same was challenged before this Court in C.RP(MD)No. 571 of 2020. This Court has directed the respondent to deposit the entire amount with interest on or before 30.03.2020 and the same was deposited, which was duly acknowledged by the revision petitioner herein. The revision petitioner had not stated anything about the withdrawal of the amount and had accepted the said amount and this Court in C.R.P(MD)No.561 of 2020 has quashed the execution proceedings, which has reached finality.

12.Now, the petitioner has come up with new story that the calculation made by the respondent is not as per law and there is a discrepancy in the calculation made by the respondent and that the respondent has to pay more



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money than what they actually paid, as per the direction of this Court. If the petitioner is aggrieved by the wrong calculation made by the Court or by the respondent, it is for him to file an appeal challenging the order with regard to the calculation, however, without doing so, he again filed an application seeking more money, which cannot be accepted by this Court. When that being the case, the present challenge with regard to the wrong calculation and agitated without filing any appeal as against the judgment and decree and claimed that the calculation was not in accordance with the decree cannot be agitated at this stage. This Court does not find any infirmity or irregularity in the order passed by the Court below.

13.In the result, the Civil Revision Petition is dismissed for want of merits. No costs. Consequently, connected miscellaneous petition is closed.

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NCC :Yes/No
Index :Yes/No

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To

The I Additional Subordinate Judge, Trichy.



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N.SENTHILKUMAR, J.

cmr

Order made in
C.R.P.(MD)No.2833 of 2025

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