



WEB COPY

CRP. No.1670 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-08-2026

CORAM

THE HON'BLE MR.JUSTICE P.B. BALAJI

**CRP. No.1670 of 2026
and CMP. No.7751 of 2026**

Sajitha

..Petitioner(s)

Vs

- 1.M/s.Sri Ram Chits India (P) Ltd,
Represented by its Authorized Signatory,
R.Murugaiyan, Registered Office at No.123,
Angappan Naicker Street,
Chennai and having its branch Office at No.1,
Aravindar Street, Gingee Salai,
Puducherry - 605 001.
 2. V.V.Shajimon
 3. Haribabu
 - 4.The DDO, Department of Physiology,
MGPGI of Dental Science (Govt of Puducherry),
Gorimedu, Pondicherry.
 - 5.The DDO, St.Joseph of Cluny Matriculation H.S.S.
Airport Road, Lawspet, Puducherry - 605 008.
 - 6.The DDO, Department of Anatomy,
MTPG & RHS (Govt. of Puducherry),
Indira Nagar, Gorimedu, Pondicherry - 605 008.
- (Respondents 2 to 6 are formal parties and are given up)

..Respondent(s)

PRAYER: This Civil Revision Petition under Section 115 of the Civil Procedure Code, to set aside the fair order dated 11.09.2023 passed by the learned III Additional District Judge, at Puducherry in E.P. No.481 of 2022 in D.R.A. No.20 of 2012 and consequently, dismiss E.P. No.481 of 2022.

For Petitioner(s): Mr.R.Saravanan

For Respondent(s): Mr.S.Prabhu for R1

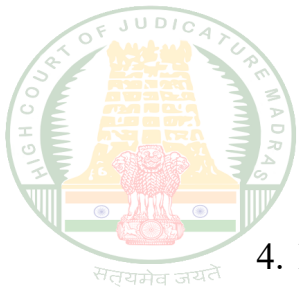
**ORDER**

WEB COPY

Heard Mr.R.Saravanan, learned counsel for the petitioner/judgment debtor and Mr.S.Prabhu, learned counsel for the first respondent/decree holder.

2. The grievance of the revision petitioner is that the first petitioner alone was the Chit subscriber and the second respondent was only a Surety. Further according to the learned counsel for the petitioner, the Execution Petition was filed initially, as against the award in EP. No.20 of 2012 and in the said EP, amounts to the tune of more than six lakhs have already been recovered and thereafter, the said Execution Petition was withdrawn, pursuant to which a second EP No.481 of 2022, came to be filed to recover the award amount payable to the respondents.

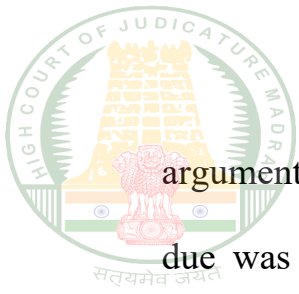
3. The learned counsel for the petitioner pointing out to the Execution Petition filed in EP. No.481 of 2022, would bring to my notice, the material suppression of the fact regarding adjustments already made and details of earlier EP filed as well. The learned counsel would therefore state that the inflated sum of Rs.14,80,561/-, has been claimed without even appropriating monies to the tune of more than Rs.6,00,000/-, that has been recovered by way of attaching of salaries of the first judgment debtor and the third judgment debtor, who was one of the sureties.



WEB COPY

4. Per contra, Mr.S.Prabhu, learned counsel for the first respondent, on instructions, fairly states that mistake has occasioned at the end of the respondent/decreed holder in not providing details of the earlier payments recovered through Court process by way of the first Execution Petition and also not mentioning the details of the previous Execution Petition. However Mr.Prabhu, learned counsel for the first respondent/decreed holder would state that even after adjustment of the entire amounts recovered in pursuance of attachment of salaries of judgment debtors 1 and 3 and after factoring costs and interest upto date, as on 17.08.2026, the petitioners are payable, Rs.8,64,239/- in effect. The learned counsel for the respondent/decreed holder fairly scales down demands from Rs.14,80,561/- to Rs.8,64,239/-. Mr.Prabhu, learned counsel for the respondent would further state that the fault has been occasioned at the end of the respondent's legal team, and for the same, the respondent is willing to forego a portion of interest and leaves it to the discretion of this Court, to decide the same.

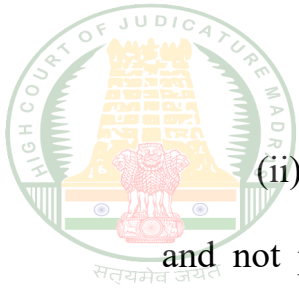
5. I have carefully considered the submissions advanced by the learned counsel on either side. I have also gone through the statement of account which has been filed by the respondent/decreed holder, contending that Rs.8,64,239/- is payable as on 17.08.2026. The said statement is objected to by the learned counsel for the petitioner only on the ground that during the course of



arguments, the learned counsel for the respondent had stated that the amount due was about four lakhs only. In fact, the decree is itself, to the tune of Rs.4,23,569/-. The amount was mentioned by Mr.S.Prabhu in the course of arguments, without referring to the subsequent interest that was accrued and payable in terms of the award and therefore, I do not see anything really turning in favour of the petitioner.

6. However, in the light of the fact that, the first respondent has not disclosed the earlier Execution Proceedings and factum of recovery of Rs.5,05,460/- by way of attachment of salaries Judgment Debtor 1 and 2 and today, they admit to an entitlement of only Rs.8,64,239/- as on date, as against Rs.14,80,561/- and considering the fact that the first respondent has not approached the Court with clean hands and that the liability of the petitioner does not get extinguished *intoto*, despite the adjustments of the amounts already attached and recovered, I am inclined to dispose of the revision petition in the following manner:-

(i) The pro order shall be kept in suspension for a period of three months. If the petitioners pay a sum of Rs.6,00,000/- (Rupees Six Lakhs only) in full and final settlement of the entire award amount, the same shall be received by the first respondent/deGREE holder in full satisfaction and discharge the petitioner and the third judgment debtor/surety from any further payments.



(ii) In the event of there being any default committed by the petitioner and not paying the said sum of Rs.6,00,000/- within a period of three (3) months from the date of receipt of the copy of the order. It shall be open to the first respondent to recover the amounts due in terms of the statement filed before this Court today, which shall form part and parcel of the order.

7. In fine, this Civil Revision Petition is disposed of with the above terms. Consequently, connected Miscellaneous Petition is also closed. No costs.

17-08-2026

RKP

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No



WEB COPY

CRP. No.1670 of 2



P.B.BALAJI, J.,

rkp

**CRP. No.1670 of 2026
and CMP. No.7751 of 2026**

17.08.2026