

(1909) 11 MAD CK 0003
In the Madras High Court

Arapayil Pattuthi Umma

APPELLANT

Vs

Thacharkavil Ummi Koya

RESPONDENT

Date of Decision : 24-11-1909

Acts Referred:

Citation : 5 Ind. Cas. 56

Hon'ble Judges : Sankaran Nair, J

Bench : Single Bench

Judgement

Sankaran Nair, J.—The Judge is wrong in holding that the plaintiff could not have executed the decree in his favour which was attached by

the defendant. See Patumma v. Idiri Beari 13 M.L.J. 265, Sami Pillai v. Krishnasami Chetti 21 M.k 417 and Adhar Chandra Dass v. Lal Mohun

Das 1 C.W.N. 676.

2. For the loss sustained by the plaintiff, by the execution of his decree being barred by limitation, the plaintiff is responsible. The decree of the

lower Court is reversed and the suit dismissed with costs throughout.