

(1892) 03 MAD CK 0001
In the Madras High Court

Kerala Varma Valiya Rajah

APPELLANT

Vs

Shangaram

RESPONDENT

Date of Decision : 29-03-1892

Acts Referred:

Citation : (1893) ILR (Mad) 452

Hon'ble Judges : Muttusami Ayyar, J; Best, J

Bench : Division Bench

Judgement

1. The application of 23rd November 1886 for payment of money realized by attachment was in our opinion a step in aid of execution within the meaning of Article 179. This was the view taken in Venkatarayalu v. Narasimha ILR 2 Mad. 174 and also Paran Singh v. Jawahir Sing. ILR 6 All.

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2. As to the objection that the decree against the late Valiya Rajah was only personal, and not binding as against the present Valiya Rajah or his

kovilagom, it appears from the execution petition that the plaint described him as ""Valiya Rajah of Chirakal Kovilagom,"" and the expression ""Valiya

Raja"" is the one by which the representative of a kovilagom is ordinarily known. The appellant has not produced either the decree or the judgment,

nor has he pointed out to us anything in the record which shows that the Valiya Rajah did not sue as head of the kovilagom.

3. We dismiss the appeal. No costs, as respondent has not appeared.