

(1908) 12 MAD CK 0024
In the Madras High Court

Rajaruthna Kavundan

APPELLANT

Vs

Doraisami Kavundan and Others

RESPONDENT

Date of Decision : 16-12-1908

Acts Referred:

Citation : 4 Ind. Cas. 1134

Hon'ble Judges : Sankaran Nair, J; Munro, J

Bench : Division Bench

Judgement

1. The application of the 2nd February 1904 was returned for amendment and return in 7 days. On the 4th March, the application was re-submitted after correction. The question is whether the re-submission amounts to an application to the Court to take a step-in-aid of execution under Article 179(4) of the second Schedule of the Limitation Act. We are clear that it does not. All that the applicant did on the 4th March, was to comply with an order of the Court. This is very different from making an application to the Court to do something towards the execution of the decree. The application is dismissed with costs.