

**(1895) 10 MAD CK 0007**  
**In the Madras High Court**

Srinivasa Ayyangar

APPELLANT

Vs

Seetharamayyar and Others

RESPONDENT

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**Date of Decision :** 09-10-1895

**Acts Referred:**

**Citation :** (1896) ILR (Mad) 72

**Hon'ble Judges :** Shephard, J; Best, J

**Bench :** Division Bench

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**Judgement**

1. It seems to us clear that the debt due by the third party to the judgment-debtor, when paid into Court, was realized within the meaning of the 295th section *Pallonji Shapurji Mistry v. Jordan* ILR 12 Bom. 400 and was therefore liable to rateable distribution among those who applied before the payment into Court.
2. In *Manikkam's* case the application was not made till after the payment into Court, and he therefore is not entitled to distribution.
3. The order must be altered accordingly.
4. No costs.