

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :20.8.2015

CORAM

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

C.R.P.(NPD)No.3363 of 2015 &
M.P.No.1 of 2015

D.Subramaniam Reddy
Petitioner

...

v.

Smt.P.Prabhavathy

Respondent

...

Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair order and decretal order in E.A.No.939 of 2015 in E.P.No.345 of 2013 dated 24.07.2015 on the file of the IX Assistant City Civil Court, Chennai.

For Petitioner : M/s.Thenmozhi Shiva Perumal
For Respondent : M/s.V.N.Santhi

O R D E R

The revision petitioner is the Judgment Debtor, who suffered a decree in O.S.No.402 of 2010 on the file of the Additional Senior Civil Judge, Chitoor. The decretal amount is Rs.2,60,896/-. Execution

Petition was filed to recover the amount of Rs.3,12,300/- adding interest and cost etc.

2. When the respondent herein filed E.P.No.345 of 2013, the revision petitioner chose to remain *exparte*. At the threat of arrest, the revision petitioner paid Rs.5000/-. The revision petitioner filed E.A.No.939 of 2015 in E.P.No.345 of 2013. The learned IX Assistant City Civil Court, Chennai by order dated 24.7.2015 in E.A.No.939 of 2015 in E.P.No.345 of 2013 in O.S.No.402 of 2010 directed the Judgment Debtor/petitioner to pay Rs.25,000/- on or before 06.08.2015 as a condition to entertain the application failing which the application will be dismissed. This revision petition is against the aforesaid order dated 24.7.2010.

3. At the time of hearing, the learned counsel for the petitioner has fairly submitted that the revision petitioner wants some more time to make payment and also submitted that the payment would be on or before 06.10.2015.

4. Recording the statement, this revision petition itself is disposed of modifying the order of learned IX Assistant Judge, City Civil Court dated 24.7.2015 in E.A.No.939 of 2015 to the effect that

the revision petitioner shall pay the sum of Rs.25,000/- as directed by the Trial Court on or before 06.10.2015. The order is modified only to the extent as indicated above. In all other respects, the order stands confirmed. No costs. Consequently, connected miscellaneous petition is closed.

Index : No
Internet : Yes

20.8.2015

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To
IX Assistant City Civil Court, Chennai.

Note: Issue order copy on 24.8.2015

D.HARIPARANTHAMAN,J.,

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