



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 01.12.2016

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WEB COPY

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

Civil Revision Petition (MD)(PD)No.2081 of 2016
and C.M.P.(MD)Nos.9716 and 11340 and 11341 of 2016

T.Oli Mohammed

.. Petitioner

vs

1.A.Mohammed Maiydeen

2.M.Nasarudeen

.. Respondents

The Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the Order dated 12.09.2016 in E.A.No.41 of 2016 in E.P.No.821 of 2015 in O.S.No.174 of 2014 on the file of I Additional District Judge, Tiruchirappalli.

For Petitioner

... Mr.K.Sivabalan

For Respondents

... Mr.A.Arumugam

ORDER

The Civil Revision Petition has been filed under Article 227 of the Constitution of India to set aside the Order dated 12.09.2016 in E.A.No.41 of 2016 in E.P.No.821 of 2015 in O.S.No.174 of 2014 on the file of I Additional District Judge, Tiruchirappalli.

2.This Court in C.R.P.(MD)No.2081 of 2016 in C.M.P.(MD)No.9716 of 2016, on 07.10.2016, granted an order of interim stay on condition that the petitioner deposit a sum of Rs.3,00,000/- to the credit of O.S.No.174 of 2014 on the file of the I Additional District Judge, Tiruchirappalli within a period of four weeks from the date of receipt of a copy of that order.

3.Thereafter, the petitioner filed another petition in C.M.P. (MD)No.1400 of 2016 seeking extension of time to comply with the conditional order made in C.M.P.9716 of 2016 in C.R.P.(MD)No.2081 of 2016, dated 7.10.2016. This Court, after hearing the learned



counsel on either side, granted time till 28.11.2016 to comply with the order dated 07.10.2016.

4.Today, when the matter is taken up for hearing, the learned counsel for the petitioner filed an affidavit stating that the petitioner would pay the sum of Rs.3,00,000/- within time and seeks further time of nine months to pay the remaining amount of Rs.10,00,000/- from today.

5.The learned counsel for the respondents strongly objected for giving extension of nine months time for paying the remaining amount from today. The learned counsel further submitted that the petitioner shall pay the balance amount within a period of three months from today.

6.By taking into consideration the submission made by the learned counsel for the respective parties, this Court is inclined to grant four months time to the petitioner to pay the balance amount.

7.At this juncture learned counsel for the respondents submitted that if the petitioner paid entire balance amount or the amount whichever has been paid by him within a period of two months it shall carry no interest, other wise, the petitioner shall pay 9% per annum for the unpaid balance amount after two months.

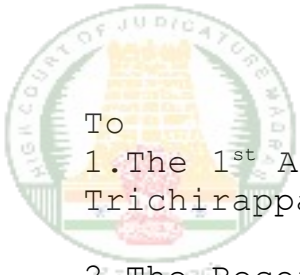
8.Accordingly, the petitioner shall pay the balance amount within a period of four months from the date of receipt of this order. If the petitioner paid the entire balance amount within a period of two months, he need not pay any interest, in default, for further two months time, he shall pay 9% interest for the unpaid balance amount.

9.With the above direction, the Civil Revision Petition is closed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar



To

1.The 1st Additional District Judge,
Trichirappalli.

2.The Record Keeper,

V.R.Section,

Madurai Bench of Madras High Court,
Madurai.

+1 CC to MR. K. SIVABALON ADVOCATAE, SR NO.74837

+1 CC to M/S.AJMAL ASSOCIATE, SR NO.79513

C.R.P. (MD) Nos.2081 of 2016
and C.M.P. (MD) Nos.9716
and 11340 and 11341 of 2016
01.12.2016

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