

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2017

C O R A M

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

C.R.P.(NPD) NO.2819 OF 2017

AND

CMP NO.13324 OF 2017

T.K.Saravanan ... Petitioner

Vs.

V.Somasekaran ... Respondent

PRAYER: Civil Revision Petition filed under Section 115 of the Civil Procedure Code, against the judgment and decretal order in I.A.No.10721 of 2016 in O.S.No.3457 of 2016 dated 30.09.2016 on the file of XVI Assistant City Civil Court, Chennai.

For Petitioner : Mr.S.Partheeban
For Respondent : Mr.R.Subramanian

ORDER

This Civil Revision Petition is directed against the order dated 30.09.2016 passed in I.A.No.10721 of 2016 in O.S.No.3457 of 2016 by the learned XVI Assistant Judge, City Civil Court, Chennai.

2. Heard the submissions made on either side and perused the materials available on record.

3. The parties have arrived at a mutual agreeable settlement. The petitioner / judgment debtor has filed an affidavit of undertaking dated 21.09.2017 and the same is taken on record.

4. As per the affidavit of undertaking, the petitioner / judgment debtor has agreed to pay a sum of Rs.4,00,000/- towards full and final settlement of the amount claimed in the suit. The respondent / decree holder has also agreed to receive the said amount in 12 installments. The first instalment being a sum of Rs.50,000/- to be paid on or before 15.10.2017 by way of demand draft and the remaining amount of Rs.3,50,000/- shall be paid in twelve equal instalments.

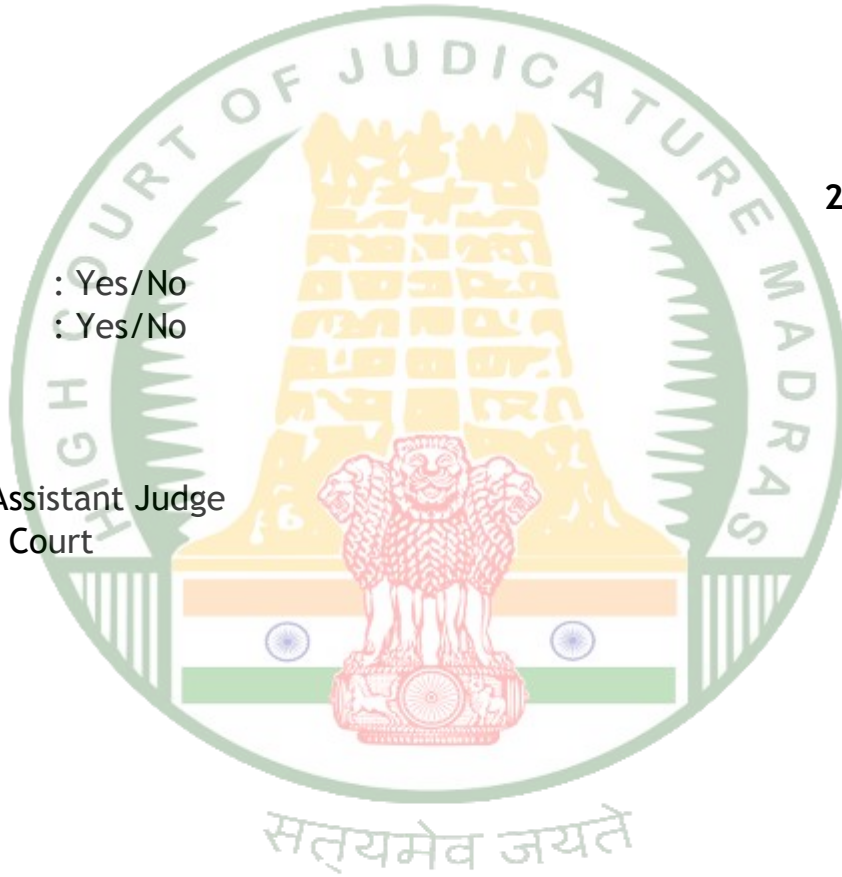
5. The Civil Revision Petition is disposed of in terms of the affidavit of undertaking. However, it is made clear that in the event of default in making payment, it is always open to the respondent / decree holder to pursue the execution proceedings in accordance with law. The

execution proceedings in E.P.No.1087 of 2017 shall be kept in abeyance till the satisfaction memo is filed. The affidavit of undertaking dated 21.09.2017 filed by the petitioner shall form part of the order. No costs. Consequently, connected civil miscellaneous petition is closed.

22.09.2017

Index : Yes/No
Internet : Yes/No
TK
To

The XVI Assistant Judge
City Civil Court
Chennai.



WEB COPY

M.GOVINDARAJ, J.

TK



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