

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2017

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRP (PD) No. 4572 of 2017
and
CMP No. 21562 of 2017

D. Jesuraj

.. Petitioner

Vs

1. Mahendrakumar

2. Sri Raj & Co.

.. Respondents

PRAYER: This Civil Revision Petition is filed under Article 227 of the Constitution of India, seeking to modify the order dated 21.11.2017 in I.A. No.15224 of 2017 in O.S. No.5775 of 2017 on the file of 14th Assistant City Civil Court, Chennai.

For Petitioner : Mr. G. Mohanakrishnan

For Respondents : Mr. N. Chinnaraj for R1

ORDER

This Civil Revision Petition is filed to modify the order dated

21.11.2017 in I.A. No.15224 of 2017 in O.S. No.5775 of 2017 on the file of XIVth Assistant City Civil Court, Chennai.

2. The learned counsel for the petitioner would submit that the court below has passed an order granting interim injunction, dated 21.11.2017, directing the revision petitioner to deposit a sum of Rs.5,00,000/- in the Court, on or before 18.12.2017. The petitioner has filed this revision petition before this Court, contending that within such short time, it is difficult for him to mobilise such a huge amount. The learned counsel for the petitioner would further submit that the court below has observed that the petitioner has admitted to pay a total sum of Rs.9,60,000/-, which is not correct. Therefore, the civil revision petition has been filed.

3. Mr. N. Chinnaraj, learned counsel entered appearance for the 1st respondent and made his objections. Considering the submissions made by the learned counsel for the petitioner and the 1st respondent and with the consent of both the parties, this Court is inclined to pass the following order :

1) Without prejudice to the right of the parties, the petitioner is directed to pay a sum of Rs.2,00,000/- on or before 18.12.2017 and thereafter the petitioner shall pay a further sum of Rs.2,00,000/- within a period of six weeks.

2) In default, this modified order will stand dismissed.

4. Accordingly, the Civil Revision Petition is partly allowed. Consequently, the connected Miscellaneous Petition is closed. No order as to costs.

13.12.2017

Speaking order/ Non speaking order

Index: Yes/ No

[Issue order copy tomorrow i.e. 14.12.2017]
avr

To

The 14th Assistant City Civil Court,
Chennai

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D. KRISHNAKUMAR J.,

avr



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