

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 03.04.2017

CORAM:

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

CRP (NPD) No.650 of 2014
and MP.No.1 of 2014

M.Ramkumar

... Petitioner

Vs.

1.The Estate of Late Mrs.Padmini Chandrasekaran
Rep. by its Executor Dr.H.B.N. Shetty, I.A.S. (Retd.)
S/o. Mahabala Shetty
No.17, First Cross, Indra Nagar,
Madras – 20.

2.N.Selvarajou Chetty Trust,
Rep by its Chairman,
Dr.H.B.N. Shetty, I.A.S. (Retd.)
S/o. Mahabala Shetty
No.17, First Cross, Indra Nagar,
Madras – 20.

3.Palani Mudaliar (Died)

4.Saravanan

5.Muthukumaran

6.Thiruvarasu

7.Kothandaraman

8.Manickammal

9.Kalaimagal

10.Susila

11.Muthiyan

12.S.Saraswathi

13.M/s.Hindustan Unilever Ltd.,
Rep. by its Managing Director,
Vadamangalam Post,
Villianur Commune, Puducherry.

... Respondents

Prayer:- Civil Revision Petition filed under Article 227 of the Constitution of India, praying to set aside the order dated 10.2.2014 passed by II Additional District Munsif at Puducherry in unnumbered E.A.No.... of 2014 in E.P.No.93 of 2011 in O.S.No.1496 of 1994.

For Petitioner	: Mr.V.Manohar
For Respondents	: Mrs.R.Srividhya [R1 & R2]
	R3 & R6 - Died
	R4, R5, R7 to R12 [Not ready in notice]
	R13 – No appearance

ORDER

This Civil Revision Petition has been filed praying to set aside the order dated 10.2.2014 passed by the learned II Additional District Munsif Judge, Puducherry in unnumbered E.A.No.... of 2014 in E.P.No.93 of 2011 in O.S.No.1496 of 1994.

2. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents 1 and 2.

3. Pursuant to the joint memorandum of compromise dated 29.01.2016, a compromise was entered into between the petitioner and the respondents 1 and 2, and the petitioner had agreed to pay the entire sale consideration of Rs.1,61,71,300/- within a month. On 29.01.2016, the petitioner had tendered an initial payment of Rs.20,00,000/- to the respondents 1 and 2, and sought three months time to pay the balance sale consideration and get the sale deed executed. The payment was acknowledged by the learned counsel for the respondents 1 and 2. The learned counsel for the respondents 1

and 2 submitted that in the event of any default on the part of the petitioner in making payment within three months time, the Civil Revision Petition should be dismissed. The said condition was also accepted by Mr.V.Manohar, the learned counsel for the petitioner.

4. It is relevant to extract paragraph No.4 of the order dated 29.01.2016 passed in CRP (NPD) No.650 of 2014 :

" 4. Having regard to the submissions made by the learned counsel on either side, I grant three months time to the petitioner to pay the entire balance Sale Consideration and get the Sale Deed executed in his and his brother Mr.Bharath's name. In the event of any default committed by the petitioner by not paying the balance sale consideration within three months, the above Civil Revision Petition shall stand automatically dismissed. The other terms of the compromise are binding on the parties ."

5. Today, when the matter is listed for hearing, it is admitted by both the counsels that the conditional order passed by this Court on 29.01.2016, has not been complied with. Hence, this Civil Revision Petition automatically stands dismissed for non-compliance of the order dated 29.01.2016 passed by this Court. No costs. Consequently, connected miscellaneous petition is dismissed.

03.4.2017

ds

D.KRISHNAKUMAR,J.

ds

To:
The II Additional District Munsif Court
Puducherry.

CRP (NPD) No.650 of 2014
and
MP.No.1 of 2014

03.04.2017

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