



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Tuesday, the Fifth day of September, Two Thousand and Seventeen

PRESENT

The Hon`ble Mr Justice R.MAHADEVAN

WEB COPY

CMP(MD) No.7413 of 2016

IN

SA(MD) No.101 of 2016

ROBINSON

...Petitioner/Appellant

Vs

BOOTHAPANDY GRAMA DEVADESI DHARMAM TRUST,
REP. BY ITS MANAGING TRUSTEE,
BOOTHAPANDY, THOVALAI TALUK,
KANYAKUMARI DISTRICT.

... Respondent/Respondent

Prayer: Civil Miscellaneous petition filed under section 148 CPC to extend the time granted for payment balance Rs.9,00,000/- (Rupees Nine Lakhs) to the respondent for further three months and such further or other orders that may deem fit and proper in the nature and circumstances of the case.

Prayer in SA(MD). 101/ 2016 :

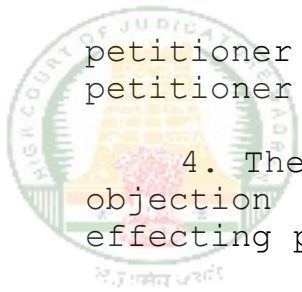
Second Appeal filed under section 100 of CPC against the Judgment and Decree passed in A.S.No.50 of 2013 dated 23.09.2014 on the file of the Principal Subordinate Judge, at Nagercoil, confirming the judgement and Decree passed in O.S.No.329 / 2012 (old No.567 / 2009) dated 25.02.2013 on the file of District Munsif cum Judicial Magistrate Boothapandy.

ORDER: This Civil Miscellaneous petition coming on for hearing on this day, upon perusing the petition and affidavit and material papers of this petition and upon hearing the arguments of Mr.M.Siddharthan, learned Advocate for the petitioner and Mr.R.Murugan, Learned Advocate for the Respondent, this Court made the following order:-

This Miscellaneous Petition has been filed, seeking to grant further three months' time to the petitioner for payment of the balance amount of Rs.9,00,000/- to the respondent.

2. Heard the learned counsel on either side.

3. It is seen that on 22.03.2016, this Court had disposed of the appeal, by duly recording the joint compromise memo dated 22.03.2016 filed by both parties and as per the undertaking in said compromise, the petitioner should have paid Rs.9,00,000/- to the respondent by 30.06.2016, but the same has not been effected due to financial constraint. Now, the learned counsel appearing for the



petitioner has sought further three months' time, enabling the petitioner to honour the commitment.

4. The learned counsel appearing for the respondent has also no objection in granting the time as required by the petitioner for effecting payment.

5. In view of the no objection given by the learned counsel for the respondent and also recording the submission of the learned counsel for the petitioner that the petitioner will remit the entire amount within three months from today, this petition is allowed and further three months' time from today is granted to the petitioner for remittance of the balance amount of Rs.9,00,000/- (Rupees Nine Lakhs only) to the respondent.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

TO

1.The Principal Subordinate Judge, at Nagercoil.

2.The District Munsif, cum Judicial Magistrate Boothapandy.

ORDER DATE : 05.09.2017

ORDER

CMP(MD) No.7413 of 2016

IN

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Giving direction as stated within etc.,

SDS/SKN:RSK/SAR 2/06.09.2017/2P/3C