



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.03.2017

CORAM :

WEB COPY

THE HONOURABLE DR.MR.JUSTICE **G. JAYACHANDRAN**

**C.R.P. (MD)NPD.No.551 of 2017
and C.M.P. (MD) No.2526 of 2017**

1. Umaiorupagam
2. Sivaramakrishnan ... Petitioners/Judgement
Debtors/Defendants

Vs.

C.Vijayapandian ... Respondent/Decree
Holder/Plaintiff

PRAYER: Civil Revision Petition filed under Section 115 of Code of Civil Procedure against the petition order in E.P.No. 17 of 2015 in O.S.No. 26 of 2010, on the file of Principal District Court, Thoothukudi dated 06.02.2017.

For Petitioners : Mr.S.Ramesh

For Respondent : Mr.M.V.Venkataseshan

O R D E R

This Civil Revision Petition is filed against the petition order in E.P.No. 17 of 2015 in O.S.No. 26 of 2010, on the file of Principal District Court, Thoothukudi dated 06.02.2017.

2. Heard the Learned Counsel for the revision petitioners and the learned counsel appearing for the Caveator.

3. Though the revision petitioners say that the upset value of the property was not properly fixed and it is under valued, this Court is not convinced in the said submission. Nevertheless the learned counsel for the revision petitioners has expressed an inclination to settle the due within a prescribed time frame and he has offered to pay a sum of Rs. 5 Lakhs to be paid by the revision petitioners as initial payment within 31.03.2017 and the balance decree amount shall be paid in three installments within 30.07.2017 to show *bonafide*.

4. Taking note of the inclination of the revision petitioners to settle the dispute, this Court grants stay of further proceedings E.P.No.17 of 2015 in O.S.No. 26 of 2010, on the file of Principal District Court, Thoothukudi on the following condition:



The revision petitioners shall pay Rs. 5 Lakhs on or before 31.03.2017 and the balance decree amount shall be paid in three equal installments. The first installment shall start on 30.04.2017. The second instalment shall be paid on or before 15.06.2017 and the third instalment shall be paid on or before 30.07.2017.

5. The said undertaking given by the revision petitioners is recorded. Accordingly, this revision petition is disposed of. No Costs. In case of default, the Execution Court can revive E.P.No. 17 of 2015 in O.S.No. 26 of 2010.

sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To
The Principal District Judge,
Thoothukudi.

+1 cc to MR.V.RAGHAVACHARI , Advocate in SR.No. 15708
+1 cc to MR.S.VELLAICHAMY , Advocate in SR.No. 15998

CM
AE/MR/27.03.2017/2P/4C

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