

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.10.2018

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P(NPD).No.1828 of 2012
& M.P.No.1 of 2012

1. M/s. Mantralaya Mahan,
Proprietor G. Ramasubramaniam,
No.298, 2nd Street,
Gandhipuram, Coimbatore.
2. S.Revathi ... Petitioners
- Vs
- Prasar Bharathi
(Broadcasting Corporation of India),
All India Radio,
Commercial Broadcasting Service,
Chennai – 600 004.
Rep. By its Station Director ... Respondent

PRAYER: Civil Revision Petition is filed under Section 115 of the Code of Civil Procedure against the fair and decreetal order dated 02.03.2012 made in unnumbered I.A.C.F.R.No.26988 of

2011 in O.S.No.732 of 2001 on the file of the Principal Subordinate Judge, Coimbatore.

For Petitioners : Mr.R.Saravana Kumar

For Respondent : Dr.D.Simon

ORDER

The learned counsels on both sides are present. Parties are also present. The petitioner has given in original a Demand Draft for a sum of Rs.5,08,234.38, which the respondent is ready to receive and settle the matter. The respondent Corporation has also undertaken to give a letter to the petitioner stating that one of the sale deed which was handed over to them at the time of their creating the security has been misplaced and that no interest contrary to the petitioner has been created. The said undertaking has been recorded in the suit itself.

2. Considering the fact that the entire amount due under the suit in O.S.No.732 of 2001 has been paid to the respondent Corporation there are no further claims against the petitioners in

this revision petition, the revision petitioner's are at liberty to file necessary application before the Court below namely Principal Subordinate Judge, Coimbatore to obtain return of all the original documents that they had mortgaged with the plaintiff Corporation. On filing of such an application, the same shall be ordered by Principal Subordinate Judge, Coimbatore without reference to the Respondents herein. The Civil Revision Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. There shall be no order as to costs.

29.10.2018

ssr

Index : Yes/No

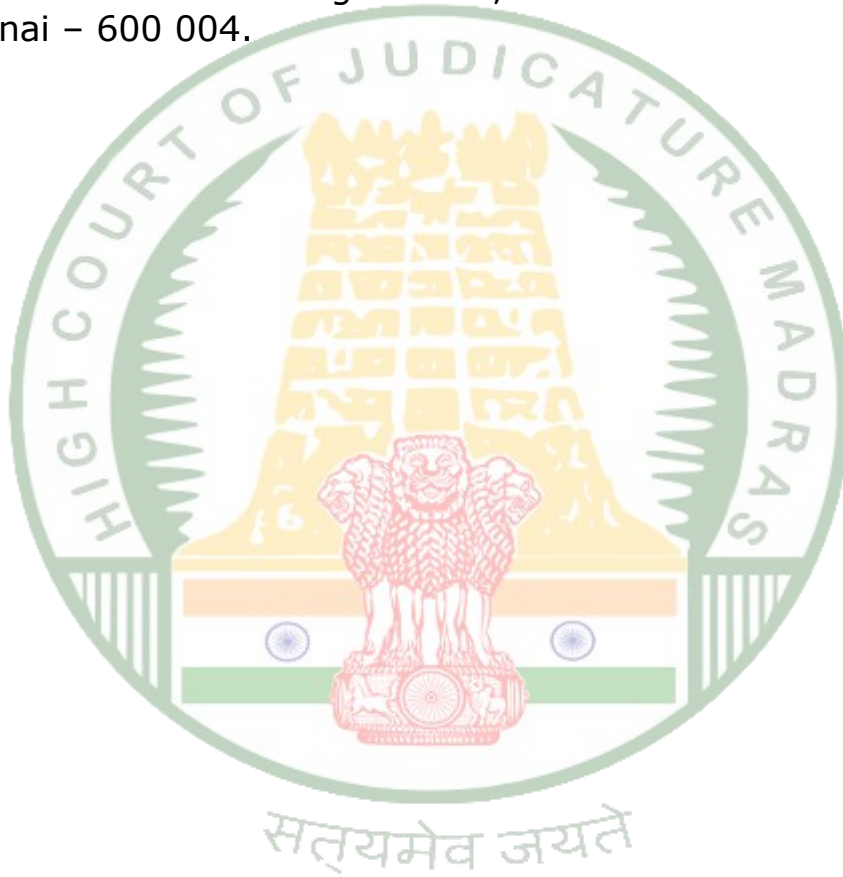
Speaking order/non-speaking order

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To

1. The Learned Principal Subordinate Judge,
Coimbatore.

2. The Station Director,
Prasar Bharathi,
(Broadcasting Corporation of India),
All India Radio,
Commercial Broadcasting Service,
Chennai – 600 004.



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P.T.ASHA, J.,

ssr



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