

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2018

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P.(NPD)Nos.3500 to 3503 of 2013

P.Nachimuthu	.. Petitioner in C.R.P.No.3500/2013
P.Shanmugam	.. Petitioner in C.R.P.No.3501/2013
P.Palanisamy	.. Petitioner in C.R.P.No.3502/2013
K.P.Subramaniam	.. Petitioner in C.R.P.No.3503/2013
Vs.	
The Revenue Divisional Officer Revenue Divisional Officer Erode.	.. Respondent in all C.R.Ps.

COMMON PRAYER: Civil Revision Petitions filed under Section 115 of C.P.C against the fair and decretal orders dated 08.01.2013 made in E.P.Nos.12 to 15 of 2011 in L.A.O.P.Nos.15 to 18 of 2002 on the file of the II Additional District Court, Erode.

For Petitioner : Mr.R.Thirughanam

For R1 : Mr.M.Venkadesh Kumar,
Government Advocate (CS)

COMMON ORDER

These Civil Revision Petitions are filed against the fair and decretal orders dated 08.01.2013 made in E.P.Nos.12 to 15 of 2011 in L.A.O.P.Nos.15 to 18 of 2002 on the file of the II Additional District Court, Erode.

2.The issues involved and the respondent in all the Civil Revision petitions are one and the same and therefore, they are disposed of by this common order.

3.From the impugned order of the learned Judge, it is seen that the learned Judge has taken into account only the sum of Rs.1,08,238/- which according to the petitioner is the interest payable by the respondent on the principal amount of Rs.1,32,806.75/- from 08.03.2005 to 14.11.2010. The further contention of the learned counsel for the petitioner is that learned Judge failed to take into account the principal amount of Rs.1,32,806.75/- and subsequent interest from 15.11.2010. These contentions has considerable force. The learned Judge has not considered the memo of calculation filed by the petitioner in its

entirety while passing order. In view of the same, the impugned order of the learned Judge is liable to be set aside and is hereby set aside.

4.In the result, all the Civil Revision Petitions are allowed. E.P.Nos.12 to 15 of 2011 in L.A.O.P.Nos.15 to 18 of 2002 are remitted back to the learned Judge for fresh consideration, taking into account the memo of calculation filed by the petitioner and also memo of calculation filed by the respondent, to pass orders on merits in accordance with law after giving opportunity to the petitioner and respondent. No costs.

Index :: Yes/No
gsa

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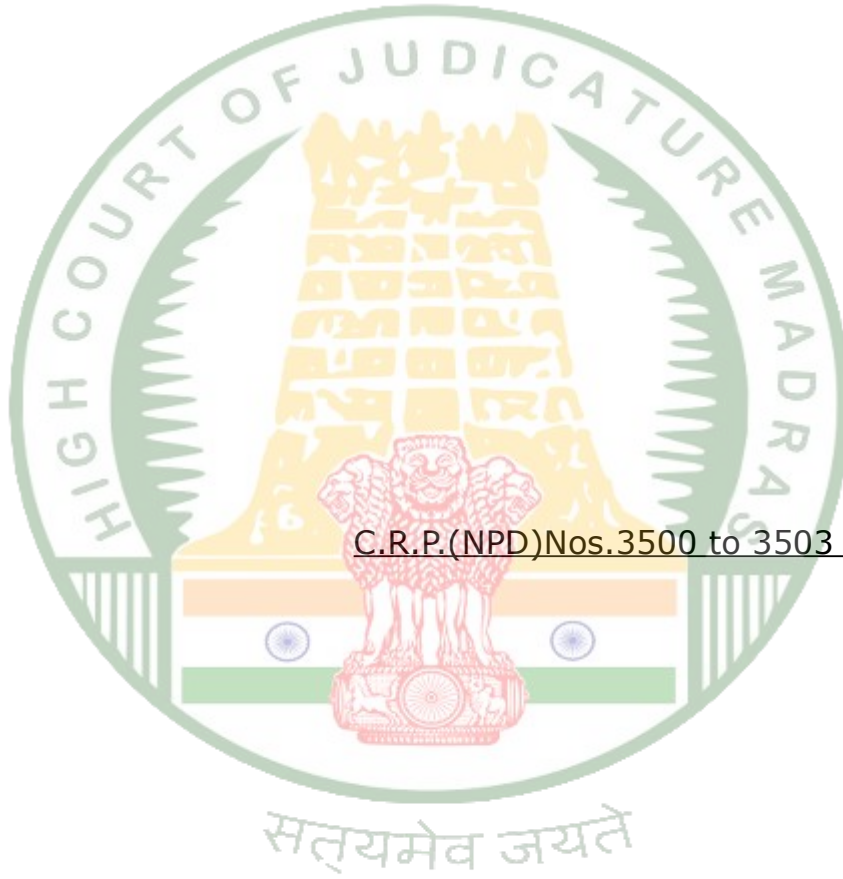
To

The II Additional District Judge,
Erode.

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V.M.VELUMANI,J.

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