



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Tuesday, the Tenth day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr.Justice K.RAVICHANDRABAABU
and
The Hon`ble Mrs.Justice T.KRISHNAVALLI

CMP(MD) No.1544 of 2018
IN
AS(MD) No.173 of 2016

1 A.PALANIYAPPAN(DIED)
2 A.JAMES
3 M.P.CHANDRASEKAR ... PETITIONERS/ RESPONDENTS
(R3 IMPEADED VIDE ORDER PASSED IN CMP.6894 to 6896 OF 2017
DATED 09.12.2017)

Vs

N.MARIVEL ... RESPONDENT/ APPELLANT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant two months time for petitioner to settle the remaining cheque amount 53,00,000/- (fifty three lakhs only) and pass such further or other orders as this Honourable court may deem fit and proper in the circumstances of the case and thus render justice.

Prayer in AS(MD) . 173/ 2016 :

To allow the appeal by setting aside the judgment and decree passed in O.S.No.119 of 2014 on the file of the Principal District Court, Dindigul, dated 22.12.2015.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.V.KARUNA, Advocate for the petitioner and of Mr.K.KARTHICK, Advocate on behalf of the Respondent, the court made the following order:-

(Order of the Court was made by **K.RAVICHANDRABAABU, J**)

This Petition is filed seeking extension of time for paying the sum of Rs.53,00,000/- (Rupees fifty three lakhs only), as ordered by the Lok Adalat on 09.12.2017 in A.S(MD)No.173 of 2016, on the file of this Court.

2. It is stated that the Petitioners are not in a position to settle and pay the said amount to the appellant due to the diminishing value of the property and however, if two months time



is granted, they will be in a position to settle the amount to the appellant.

3. The learned counsel for the respondent is not having any serious objection for granting time. However, he submitted that such time may be restricted to one month.

4. Considering the order passed by the Lok Adalat and the reasons stated in the accompanying affidavit filed in support of this petition and also the stand taken by the respondent, this application is ordered on the following terms:

(a) the Petitioners herein shall pay the said sum of Rs.53,00,000/- (Rupees fifty three lakhs only) to the respondent herein on or before 08.08.2018, failing which, the Appeal Suit will be restored to file, as already ordered by the Lok Adalat, apart from forfeiting the amount of Rs.2 lakhs already paid by the Petitioners to the appellant before the Lok Adalat.

sd/-
10/07/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO
THE PRINCIPAL DISTRICT JUDGE,
DINDIGUL.

ORDER IN
CMP(MD) No.1544 of 2018
IN
AS(MD) No.173 of 2016
Date :10/07/2018

MS/VR-MMS/VK/13.07.2018/2P.2C