



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 20.03.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM  
AND  
THE HONOURABLE MRS.JUSTICE R.THARANI

C.R.P. (MD) .No.581 of 2018 (PD)  
and  
C.M.P. (MD) .No.2580 of 2018

A.Malaichamy .. Petitioner/Petitioner/Defendant

Vs.

Canara Bank,  
Rep by its Branch Manager,  
Sirugudi Branch,  
Sirugudi,  
Natham Taluk,  
Dindigul District.

...Respondent /Respondent/Applicant

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, against the order passed in I.A.No.1538 of 2017 dated 22.02.2018 in O.A.No.331 of 2015 on the file of the Debt Recovery Tribunal, Madurai.

For Petitioner : Mr.M.Bindran  
For Respondent : Mr.C.Jawahar Ravindran

O R D E R

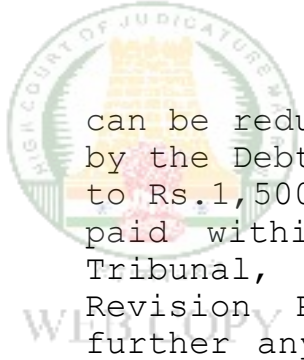
[Order of the Court was delivered by T.S.SIVAGNANAM, J.]

Heard Mr.M.Bindran, learned counsel appearing for the petitioner and Mr.C.Jawahar Ravindran, learned counsel appearing for the respondent.

2.This revision has been filed challenging the order passed by the Debt Recovery Tribunal, Madurai, imposing cost of Rs.10,000/- for permitting the petitioner to contest the matter on merits, by setting aside the ex-parte decree.

3.The learned counsel for the respondent Bank vehemently opposed the challenge to the order passed by the Debt Recovery Tribunal, Madurai and submitted that the order was passed only based on the conduct of the borrower and the matter has been pending since 2015.

4.In any event, considering the status of the borrower, who is said to be an agricultural coolie, we are of the view that the cost



can be reduced to a reasonable amount. Accordingly, the cost imposed by the Debt Recovery Tribunal, Madurai, on the petitioner is reduced to Rs.1,500/- (Rupees One Thousand Five Hundred Only), which shall be paid within a time limit, as prescribed by the Debt Recovery Tribunal, Madurai ie., on 23.03.2018, failing which, the Civil Revision Petition shall stand automatically dismissed, without further any reference to this Court. The cost of Rs.1,500/- (Rupees One Thousand Five Hundred Only) shall be paid to the learned counsel appearing for the respondent Bank before the Debt Recovery Tribunal, Madurai.

6. With the above direction, this Civil Revision Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

The Debt Recovery Tribunal,  
Madurai.

+1cc to M/S.M.Bindran, Advocate SR.No. 56383

C.R.P. (MD) .No.581 of 2018 (PD)

and

C.M.P. (MD) .No.2580 of 2018

20.03.2018

ns

JM/RSK/SAR 4/21.03.2018/2P/3C