



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.06.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

C.R.P.(NPD) (MD)No.150 of 2015

1.P.Lakshman
2.Mupitathi

... Petitioners

Vs.

A.Latha

... Respondent

Prayer: The Civil Revision Petition is filed under section 115 of the CPC against the order in E.P.No.82 of 2012 in O.S.No.1 of 2010 on the file of the Principal District Munsif Court, Tenkasi dated 12.12.2014.

For Petitioners : Mr.K.R.Laxman
For Respondent : Mr.H.Arumugam

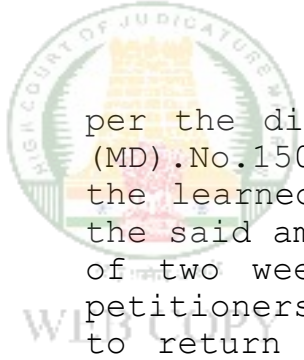
ORDER

The Civil Revision Petition is filed against the order passed by the learned Principal District Munsif, Tenkasi in E.P.No.82 of 2012 in O.S.No.1 of 2010, dated 12.12.2014.

2. When the matter is taken up for hearing today, both the parties filed a Joint Compromise Memo, in which the revision petitioner agreed to pay a sum of Rs.1,03,046/- to the satisfaction of the decree passed in O.S.No.1 of 2010 on the file of the Principal District Munsif Court, Tenkasi and the respondent agreed for the same. The revision petitioners also agreed to withdraw the criminal complaint in C.C.No.10 of 2017 pending on the file of learned Judicial Magistrate, Tenkasi.

3. At the time of admission, on 29.01.2015, this Court granted interim stay on condition that the petitioners should deposit a sum of Rs.40,000/-. Accordingly, the petitioners also deposited the amount of Rs.25,000/- before the Executing Court in E.P.No.82 of 2012. Now, the balance amount of Rs.80,000/- has been paid in the Court and the same was received by the respondent Tmt. A.Latha, in the presence of the counsel.

4. In view of the above, the Civil Revision Petition is allowed and the order passed by the learned Principal District Munsif, Tenkasi in E.P.No.82 of 2012 in O.S.No.1 of 2010, dated 12.12.2014 is set aside. The respondent is permitted to withdraw the amount of Rs.25,000/- which was deposited by the petitioners, as



per the direction of this Court in M.P.(MD)No.2 of 2015 in C.R.P. (MD).No.150 of 2015, dated 29.01.2015, by way of an application and the learned Principal District Munsif, Tenkasi, is directed to give the said amount to the petitioner/respondent herein, within a period of two weeks, without issuing notice to the respondents/revision petitioners. The learned District Munsif, Tenkasi, is also directed to return the original mortgage deed and other sale deed to the plaintiff and on receipt of the same, the plaintiff is directed to hand over the said documents to the defendants. The Joint Compromise Memo, dated 27.06.2018 shall form part of the order. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

Encl:- Xerox Copies Of Compromise Memo

To

- 1.The Principal District Munsif,
Tenkasi.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.(2Copies)

+1CC to Mr.K.R.Lakhman Advocate in SR.No.70144

AKV

DS/SKN-RSK/SAR-1 :17.07.2018: 2P/5C

C.R.P. (NPD) (MD)No.150 of 2015
27.06.2018