

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2021

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

C.R.P (PD) No.3679 of 2018

G.Nagammal ... Petitioner

Vs.

P.Kuppusamy ... Respondent

Prayer : Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decretal order passed in I.A.No.22 of 2016 in O.S.No.49 of 2012 dated 13.07.2018 on the file of the learned Subordinate Judge, Ranipet, Vellore District and allow the C.R.P.

For Petitioner : Mr.K.Mohanamurali

For Respondent : Notice Served (No Appearance)

ORDER

This Civil Revision Petition is directed against the fair and decretal order passed in I.A.No.22 of 2016 in O.S.No.49 of 2012 dated 13.07.2018 on the file of the learned Subordinate Judge, Ranipet, Vellore District, thereby dismissing the petition filed to extend the time for paying the balance sale consideration of Rs.2 lakhs.

2. The petitioner is the plaintiff and the respondent is the defendant. The petitioner filed the suit for specific performance and the same was decreed in his favour. The trial Court directed the petitioner to pay the balance sale consideration within a period of two months and thereafter, the respondent shall execute the sale deed. But the petitioner failed to pay the balance sale consideration as directed by the Court below, within a period of two months. After a period of four years, the petitioner filed a petition for extension of time to pay the balance sale consideration.

3. The reason for the delay stated by the petitioner is that she was suffered with Jaundice and had taken treatment at Andhra Pradesh. Therefore, she could not able to contact her counsel and could not able to pay the balance sale consideration as directed by the trial Court. When the petitioner had obtained the decree of specific performance, she must be vigilant in payment of the balance sale consideration. It shows that she was not ready and willing to pay the balance sale consideration and as such, the Court below rightly dismissed the petition and this Court finds no infirmity or illegality in the order passed by the Court below.

4. Accordingly, this Civil Revision Petition is dismissed. No costs.

21.06.2021

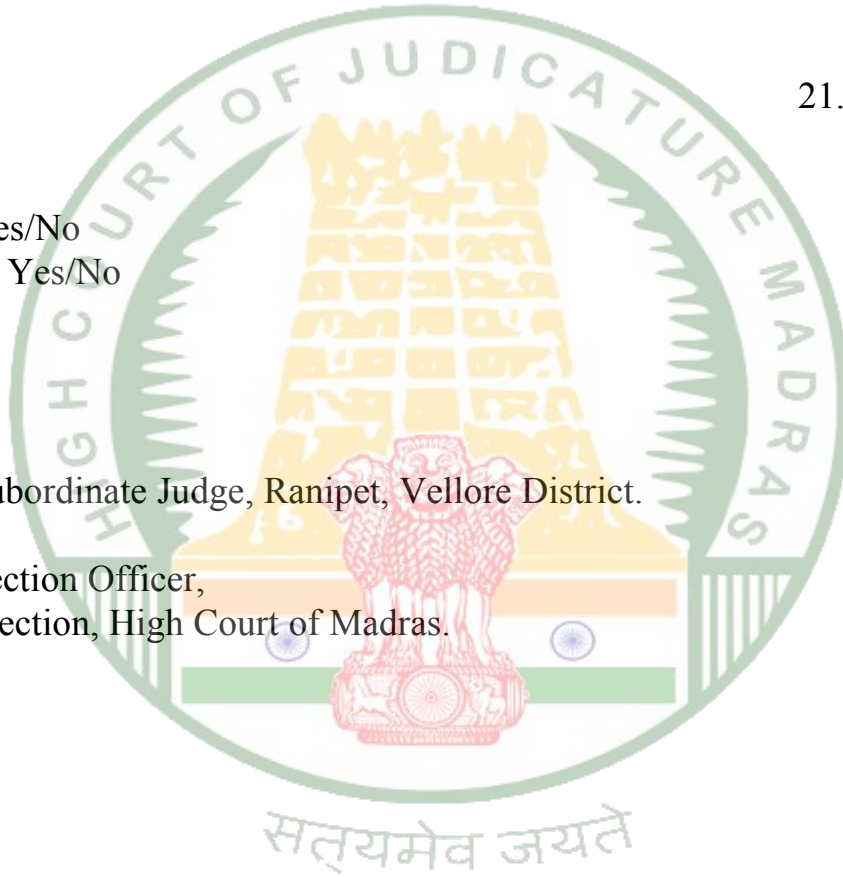
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Index :Yes/No

Internet : Yes/No

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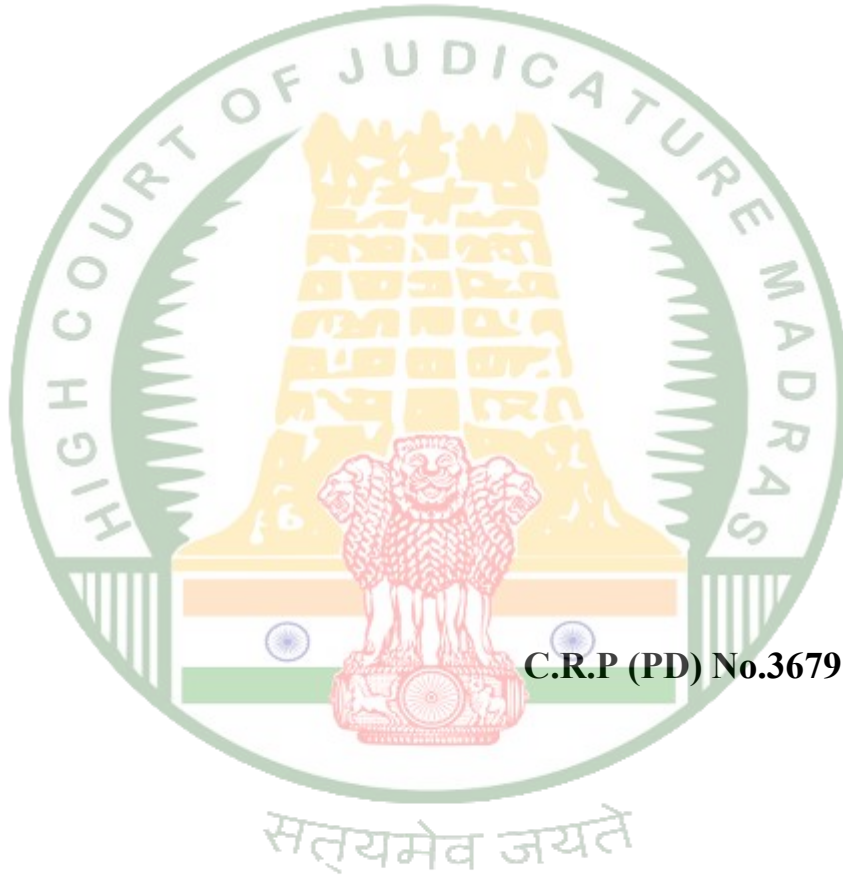
1. The Subordinate Judge, Ranipet, Vellore District.
2. The Section Officer,
V.R. Section, High Court of Madras.



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G.K.ILANTHIRAIYAN,J.

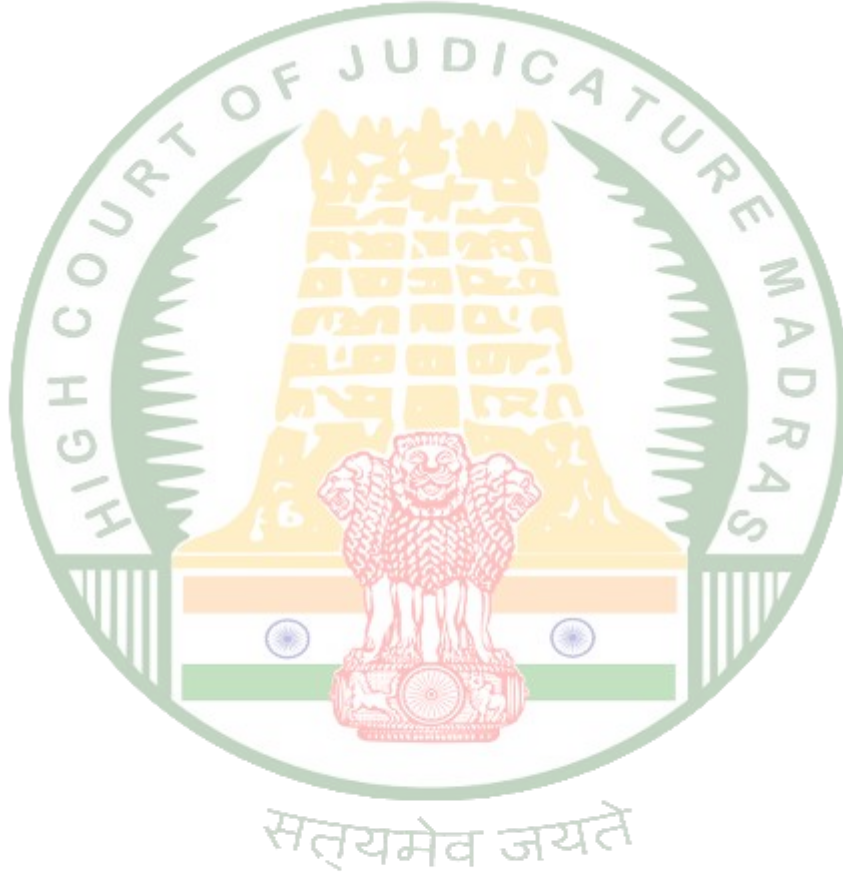
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