



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.09.2021

CORAM

THE HONOURABLE MRS.JUSTICE S. ANANTHI

C.R.P(MD).No.1197 of 2021 and

CMP(MD).No. 6918 of 2021

WEB COPY

Selvam

... Revision Petitioner/Respondent/Defendant

Vs.

Magalingam

... Respondent/Petitioner/Plaintiff

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair and decreetal order dated 07.12.2020 passed in I.A.No.7 of 2020 in O.S.No.108 of 2016 pending on the file of District Munsif Cum Judicial Magistrate, Peraiyur.

For Petitioner : Mr. M. Gnana Gurunathan

ORDER

This Civil Revision Petition has been filed against the fair and decreetal order, dated 07.12.2020 passed in I.A.No.7 of 2020 in O.S.No.108 of 2016 on the file of District Munsif-Cum-Judicial Magistrate Court, Peraiyur.

2.Since the order going to be passed will not cause any prejudice to the rights of the respondent, no notice need be sent to the respondent.

3.The learned counsel appearing for the petitioner would submit that the respondent / plaintiff has filed a suit in O.S.No.108 of 2016 on the file of the District Munsif -cum- Judicial Magistrate, Peraiyur, for recovery of money, that the evidence of both sides were closed and that the suit is in part heard stage. In such circumstances, the respondent / plaintiff has filed an application in I.A.No.7 of 2020 for amendment, regarding the rate of interest from the date of decree till the date of realization and the same was allowed.

4.On perusal of the records, it is seen that the evidence of both sides were closed and that suit is in the part heard stage. Even the Court can order interest rate subsequent to the decree and hence, there is no error in the order passed in I.A.No.7 of 2020 in O.S.No.108 of 2016, on the file of District Munsif-Cum-Judicial Magistrate, Peraiyur, dated 07.12.2020.



5.In the result, the Civil Revision Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS III)

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/ /2021

Sub Assistant Registrar(CS)

To

1.The District Munsif Cum Judicial Magistrate,
Peraliyur.

+1 CC to M/s.M.GNANAGURUNATHAN, Advocate (SR-27805[F] dated
01/09/2021)

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