



WEB COPY



CRP.No.2233/2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2022

CORAM:

THE HON'BLE Mr. JUSTICE N.SESHASAYEE

CRP.No.2233 of 2021
& CMP.No.16970 of 2021

E.Shanmugam

... Petitioner

Versus

1.Mr.P.Jaganmohan Rao
2.Mr.K.V.Jankiraman

... Respondents

PRAYER: The Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside Judgement and Decree dated 29.01.2020 in I.A.No.1 of 2019 in O.S.No.5368 of 2016 passed by the learned XIII Assistant City Civil Judge, Chennai.

For Petitioner	:	R.Ganesh Kumar
For R1	:	K.Rathna Kumar
For R2	:	S.Manimaran

ORDER

This Revision is preferred against the order dismissing the Revision petitioner/first defendant's application for condoning the delay of 471 days in



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preferring an application to set aside the ex parte decree in a money suit in O.S.No.5368 of 2016 on the file of XIII Assistant City Civil Judge, Chennai.

2. Notice have been served on the first respondent/plaintiff and the second respondent/second defendant.

3. During the pendency of the Revision, the parties have settled the matter outside the Court and both sides have filed a joint compromise memo based on which, the plaintiff is withdrawing the suit.

4. Both sides have appeared with their respective counsel and their identities were established.

5. In view of the same, the joint compromise memo is recorded. The suit in O.S.No.5368 of 2016 on the file of the XIII Assistant City Civil Court, Chennai itself is therefore called on to the file of this Court and dismissed as settled out of Court and the plaintiff/first respondent is entitled to receive refund of Court fee as per law.



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6.In terms of clause B of the compromise, the Revision Petitioner/first defendant is at liberty to withdraw Rs.50,000/- which he had deposited to the credit of E.P.No.1936 of 2018.

7.The Civil Revision Petition is dismissed as settled out of Court. No costs.
Consequently, the connected miscellaneous petitions are closed.

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Index : Yes/No
Speaking Order/Non Speaking Order
Tsg/dk



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N.SESHASAYEE, J.,

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