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C.M.P.No.21164 of 2022
in A.S.No.285 of 2015

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S.S. SUNDAR, J.
and
A.A.NAKKIRAN, J.

[Order of the Court was made by **S.S. SUNDAR, J.**]

This petition is filed to direct payment out. In the affidavit filed in support of this petition, it is stated that, by order dated 21.10.2015 in M.P.No.1 of 2015 in A.S.No.285 of 2015, this Court directed the petitioner to deposit 50% of the decree amount with proportionate interest. It is stated that, pursuant to the said order, the petitioner deposited an amount of Rs.19,35,006/- by way of Demand Draft. However, this Court allowed the appeal in favour of the petitioner and therefore, the suit filed by the plaintiff/respondent was dismissed.

2.This Court, by order dated 21.07.2022, has observed that the petitioner/appellant is entitled to get back the said amount. Since this Court advised the petitioner to file a formal petition, the above petition is filed. In view of the facts narrated, this Court is of the view that the petitioner, who is the appellant in A.S.No.285 of 2015, is entitled to get back the amount.



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3. Accordingly, this petition is ordered as prayed for.

(S.S.S.R., J.) (A.A.N., J.)
21.12.2022

Note to Registry :
Issue order copy on 22.12.2022.

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