



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.04.2022

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE S. ANANTHI

CRP(MD).No. 793 of 2022 and
CMP(MD).No.3205 of 2022

N.Pandi

.. Petitioner/1st Defendant

Vs.

1.Sankar
2.M.Kala

..Respondent No.1/Plaintiff
..Respondent No.2/
2nd Defendant

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the impugned order, dated 28.03.2022 passed by the learned Subordinate Judge, Sankarankoil in un numbered I.A.No.... / 2022 in O.S.No.150 of 2013.

For Petitioner ... Mr V. Sukumar

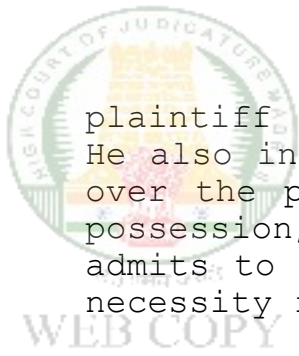
ORDER

The revision petitioner / 1st defendant has filed this revision to set aside the order, dated 28.03.2022 passed in un numbered I.A.No.... of 2022 in O.S.No.150 of 2013 on the file of the Subordinate Court, Sankarankoil.

2. Heard the learned counsel appearing for the petitioner. Since no adverse order passed against the respondents no notice is necessary to the respondents..

3. The said suit in in O.S.No.150 of 2013 was filed by the 1st respondent / plaintiff. On the basis of the agreement, the 1st respondent / plaintiff is willing to pay a sum of Rs.3,00,000/- to the first respondent / defendant and after receiving the said amount, the first defendant is directed to hand over the possession.

4. The revision petitioner / first defendant filed a written statement in the suit on 29.10.2013 and now, the plaintiff's side evidence was closed and pending for defendants side evidence. At this stage, the revision petitioner has filed an application to receive the additional written statement along with the counter claim. In his counter claim he has stated that the



plaintiff has to pay a sum Rs.3,00,000/- with subsequent interest. He also in his original written statement stated that he has handed over the possession on 01.08.2013. If he really handed over the possession, he has to prove in the trial. Already the plaintiff admits to pay a sum of Rs.3,00,000/- to the first defendant, no necessity for counter claim.

5. The revision petitioner has stated that the 1st respondent / plaintiff is going to withdraw the suit. If any memo filed by the 1st respondent / plaintiff to withdraw the suit, sufficient opportunity to be given to the revision petitioner / first defendant and then, proceed as per Rule.

6. With the above observation, this Civil Revision Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

trp

To

The Subordinate Judge, Sankarankoil.

+1 CC to M/s.V. SUKUMAR, Advocate (SR-17776[F] dated 11/04/2022)

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RK(04/05/2022) 2P 3C