



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2022

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

C.R.P. (MD) No.1435 of 2021

and

C.M.P. (MD) No.8068 of 2021

K.Senthil Kumar ... Petitioner/Respondent/ Respondent
-vs-
C.Jeyakumar ... Respondent/Petitioner/Petitioner

Prayer :- Petition filed under Section 115 of the Code of Civil Procedure, to set aside the order dated 26.08.2021 in E.P.No.224 of 2019 in CrI.R.C.No.403 of 2017 on the file of the I Additional Subordinate Judge, Trichirappalli and allow the above civil revision petition.

For Petitioner : Mr.N.Mohan

For Respondent : Mr.Vinoth Sathya Lazer

ORDER

Today, a memo has been filed by the petitioner/judgment debtor enclosing schedule of payment, in which the payment schedule has been given as follows:-

S. No	Date on or before	Particulars	Amount
1.	21.12.2021	1 st installment	Rs.30,000/-
2.	21.01.2022	2 nd installment	Rs.30,000/-
3.	21.02.2022	3 rd installment	Rs.30,000/-
4.	21.03.2022	4 th installment	Rs.30,000/-
5.	21.04.2022	5 th installment	(*) Rs.40,000/-
6.	21.05.2022	6 th installment	(*) Rs.40,000/-

2.The first installment has been paid and the same is acknowledged by the learned counsel for the respondent. Along with the memo, a demand draft for a sum of Rs.30,000/- constituting the second installment has been enclosed. The learned counsel shall authorize somebody to get the demand draft from the Court. In the memo, the petitioner/ judgment debtor undertakes to complete the entire payment on or before 21.05.2022. The memo is taken on file and the payment schedule is recorded. It is made clear that even a



single default in the payment as shown in the schedule, it is then to the respondent/decree holder to proceed to execute the order impugned.

3.This Civil Revision Petition is closed on the basis of the memo. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
25.01.2022

(*)Corrected as per the order of this Court dated 09/03/2023 made in C.R.P. (MD)No.1435 of 2021

This Petition having been posted on Thursday, the Ninth day of March Two Thousand and Twenty Three "FOR BEING MENTIONED" In pursuance to the order of this court dated 25/01/2022 and made herein in the presence of Mr.N.Mohan Advocate for the Petitioner and of Mr.Vinoth Sathya Lazer , for the Respondent, this Court made the following order:

Today, the matter is listed under the caption 'for being mentioned' as there is an error in the payment schedule in Serial Nos.5 and 6, instead of a sum of Rs.40,000/- the order wrongly reads as Rs.30,000/-.

2. The said error shall be corrected and the Registry is directed to issue a fresh order copy to the parties free of cost.

3.The different amount of Rs.20,000/- shall be paid by the end of March 2023 by the petitioner.

Sd/-
Assistant Registrar (CS-I)

// True Copy //

/03/2022
Sub Assistant Registrar(CS)

cp

Note:-

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.

<https://www.mhc.tn.gov.in/judis>



To

(*) To be substituted to the order already despatched on 17/02/2022

1.The I Additional Subordinate Judge,
Trichirappalli.

2.K.Senthil Kumar,
S/o.Kaliaperumal,
No.11/25, Srinivasa Nagar,
West Edamalaipatti Pudur,Trichy.

3.C.Jeyakumar,
S/o.Chinnasamy,
Periya Alampatti,
Inam Kulathur Post,
Srirangam Taluk,Trichy District.

C.R.P. (MD)No.1435 of 2021 and

C.M.P. (MD)No.8068 of 2021

Dated: 25.01.2022

_RD(15.02.2022) 3P 2C

_RD(23.03.2023) 3P 4C