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C.R.P.No.885 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2023

CORAM:

THE HONOURABLE Dr. JUSTICE D. NAGARJUN

Civil Revision Petition.No.885 of 2023

and

C.M.P.No.6669 of 2023

Chandrakumar

... Petitioner

Vs.

R.Vijay

... Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India seeking to set aside the fair and decreetal order dated 07.03.2023 passed Principal District Judge, Nagapattinam in I.A.No.5 of 2023 in RLTA.No.2 of 2023.

For Petitioner : M/s.V.Mythili

For Respondent : M/s.M.S.Palanisamy

ORDER

This Civil Revision petition is filed aggrieved by the orders passed by the learned Principal District Judge, Nagapattinam in I.A.No.5 of 2023 in RLTA.No.2 of 2023.

2. The learned counsel for the appellant has made an attempt seeking



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to stay of execution by filing I.A.No.5 of 2023 and the same was declined .

The learned counsel for the petitioner as well as the learned counsel for the respondent were present and reported that this Civil Revision Petition is disposed of by giving appropriate direction to the learned Principal District Judge, Nagapattinam, to dispose of I.A.No.5 of 2023, which will meet the interest of justice.

3. Considering circumstance, Civil Revision Petition is disposed of by directing the Principal District Judge, Nagapattinam, to expedite disposal of the I.A.No.5 of 2023 in R.L.T.A.No.2 of 2023 and dispose of the same not later than six weeks from the date of receipt of copy of this order. Till then status quo is ordered to be maintained by both parties. No costs. Consequently connected miscellaneous petition is closed.

15.06.2023

jai

Index:Yes/No

Speaking Order: Yes/No

To

The Principal District Judge,
Nagapattinam.



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Dr.D. NAGARJUN, J.

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Dr.D.NAGARJUN, J.

This matter has been listed today under the caption "for being mentioned" at the instance of learned counsel for the respondent.

2. The learned counsel for the respondent submitted that though the petitioner had sought for disposal of R.L.T.A.No.2 of 2023, on account of typographical mistake, in the order dated 15.06.2023, I.A. No.5 of 2023 has been directed to be disposed of.

3. Acceding to the submission of the learned counsel for the respondent, paragraphs 2 and 3 of the order dated 15.06.2023 shall stand modified and read as under:

“2. The learned counsel for the appellant has made an attempt seeking to stay of execution by filing I.A.No.5 of 2023 and the same was declined . The learned counsel for the petitioner as well as the learned counsel for the respondent were present and reported that this Civil Revision Petition may be disposed of by giving appropriate direction to the learned Principal District Judge, Nagapattinam, to dispose of R.L.T.A.No.2 of 2023, which will meet the interest of justice.

3. Considering the circumstance, Civil Revision Petition is disposed of by directing the Principal District Judge,



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Nagapattinam, to expedite disposal of R.L.T.A.No.2 of 2023 and dispose of the same not later than six weeks from the date of receipt of a copy of this order. Till then status quo is ordered to be maintained by both parties. No costs. Consequently connected miscellaneous petition is closed.”

4. Registry is directed to carry out the necessary corrections and issue fresh order copy to the respective learned counsel appearing for the parties, subject to payment of necessary fee.

Jai

07.09.2023