



WEB COPY



CRP.No. 380 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2023

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

CRP.No. 380 of 2021

and

CMP.No. 3214 of 2021

Bagubali

.. Petitioner

Versus

Godhandan

.. Respondent

Civil Revision Petition is filed under Section 115 of the Code of Civil Procedure, praying to set aside the docket order made in E.P.No. 121 of 2018 in O.S.No. 39 of 2016 on the file of learned Subordinate Judge, Cheyyar, dated 06.03.2020.

For Petitioner : Mr.K.Shivakumar

For Respondent : Mr.K.G. Senthilkumar

ORDER

This Revision has been filed to set aside the docket order made in E.P.No. 121 of 2018 in O.S.No. 39 of 2016 on the file of learned Subordinate Judge, Cheyyar, dated 06.03.2020.



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2. Heard both sides and perused the records.

3. On a perusal of the records, it appears that the respondent/plaintiff has filed the suit in O.S.No.39 of 2016 before the learned Subordinate Judge, Cheyyar, for passing of preliminary and final decree. The revision petitioner/defendant has contested the suit by filing written statement and denying all the averments made in the plaint. After scrutinizing the records, the trial Court pronounced judgment and decree dated 13.03.2017. Aggrieved by the same, the respondent/plaintiff/Decree Holder has filed E.P.No. 121 of 2018 in O.S.39 of 2016 and the Executing Court directed the revision petitioner/defendant herein to pay the entire balance amount. Challenging the same, the petitioner has filed this Civil Revision Petition.

4. Considering the above facts and circumstances of the case, this Court directs the petitioner/defendant/JD to pay **Rs.13,00,000/- [Rupees Thirteen Lakh Only]** to the respondent/plaintiff/DH for the following four installments, namely;



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Date	Amount
10.03.2023	Rs.3,00,000/-
10.06.2023	Rs.3,00,000/-
10.09.2023	Rs.3,00,000/-
10.12.2023	Rs.4,00,000/-
Total	Rs.13,00,000/-

If the aforesaid amount as per the Schedule is not paid by the revision petitioner/defendant/JD, even for one installment the attachment order will be proceeded in accordance with law against him. However, interest amount is waived up to 31.12.2022. The trial Court is directed to receive the amount of Rs.13,00,000/- as directed above in four installments.

5. With the above direction, the Civil Revision Petition is disposed of.
No costs. Consequently, connected Miscellaneous Petition is closed.

07.02.2023

Index: Yes/No
Speaking order / Non speaking order
Neutral citation : Yes/No
msm



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To
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1. The Subordinate Judge, Cheyyar.
2. The Section Officer, High Court, Madras.

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V.BHAVANI SUBBAROYAN, J.

msm

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