



WEB COPY



CRP.No. 998 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2023

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

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Stalin

.. Petitioner

Versus

Perumal

.. Respondent

Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the Fair and Decreetal order dated 30.11.2020 passed in I.A.No.1 of 2020 in O.S.No.164 of 2010 on the file of the District Munsif Court, Sendamangalam.

For Petitioner : Mr. S. Senthil

For Respondents : Mr. N. Umapathi

ORDER

This Civil Revision Petition has been filed to set aside the Fair and Decreetal order dated 30.11.2020 passed in I.A.No.1 of 2020 in O.S.No.164 of 2010 on the file of the District Munsif Court, Sendamangalam.

2. Brief facts set out in the petition are as follows:

The Respondent herein is the owner of the subject property and the petitioner has entered into an agreement with the Respondent to purchase



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the subject property, wherein the property value was fixed at Rs.70,000/- and the Respondent also received a sum of Rs.60,000/- as advance and agreed to receive the balance sum of Rs.10,000/- within two years from the date of execution of agreement. However, the Respondent has not come forward to complete the agreement.

3. Hence, the petitioner has filed O.S.No.164 of 2010 before the District Munsif Court, Sendamangalam and the same was dismissed for default. Thereafter, a condone delay petition was filed in I.A.No.1 of 2020 to restore the main suit and the same was also dismissed vide order dated 30.11.2020.

4. Today when the matter is taken up for hearing the learned counsel appearing for the petitioner submitted that they are ready and willing to settle the issue amicably and the learned counsel appearing for the respondent also accedes to it.

5. In view of the submission made by both the parties, the respondent is directed to settle the entire amount received from the petitioner together with 12% interest from the date of execution of the agreement till the date of realization.



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6. This Civil Revision petition is disposed of with the above terms .

There shall be no order as to costs.

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Speaking order : Yes/No

Neutral citation : Yes/No

Index : Yes/No

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To

1. The District Munsif Court, Sendamangalam.

2. The Section Officer, V.R.Section,
High Court, Madras.



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V.BHAVANI SUBBAROYAN, J.

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