



C.R.P.No.2462 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

C.R.P.No.2462 of 2019

and

C.M.P.No.16111 of 2019

1. V.Arumuga Pandi

2. M/s.Varshini Associates
Financiers and Investors
rep by V.Arumuga Pandi
Office at 289-B, Parasakthi Complex,
Pollachi Main Road,
Sundarapuram, Coimbatore.

3. A.Brinthalakshmi

....

Petitioners

Vs

1. N.Rajasekar
2. Sheela Rajasekar
3. Sandeep Natarajan
4. J.Balakrishnan
5. Ravi Prasanna
6. B.Dinesh
7. S.Rajan
8. Prabhu T.N.

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9. M.Boobalan

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License No.A.643/CBE/99,

Arun Nagar, Vadavalli,

Near Vadavalli Sub Registrar Office,

Coimbatore – 641 041.

10. Repco Home Finance Limited,

Rep by its Authorised Signatory,

Door No.8/26, Indian Red Cross Building,

Huzur Road, Coimbatore – 641 018.

11. LIC Housing Finance Limited,

Coimbatore Back Office,

Represented by its Authorized Signatory,

Having Branch Office at

Tristar Towers,

2nd Floor, D.No.667, Avinashi Road,

Coimbatore – 641 007.

.... Respondents

Prayer :- Civil Revision Petition is filed under Article 227 of Constitution of India to set aside the fair and decreetal order dated 08.04.2019 passed in I.A.No.544 of 2018 in OSCFR No.20733 of 2018 on the file of the Principal District Judge, Coimbatore.

For Petitioners	:	No appearance
For R1 and R2	:	Mr.R.Nalliyappan
For R3 to R11	:	No appearance

ORDER

This Civil Revision Petition has been filed to set aside the fair and decreetal order dated 08.04.2019 passed in I.A.No.544 of 2018 in OSCFR



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No.20733 of 2018 on the file of the Principal District Judge, Coimbatore, thereby allowing the petition to grant leave and extension of time for payment of deficit Court fee.

2. The learned counsel appearing for the petitioners would submit that already entire case bundle was handed over to the petitioner with change of vakalath. Even today, the petitioners failed to engage any counsel on their behalf.

3. The respondents 1 and 2 herein are the plaintiffs. They filed a suit for declaration declaring that the registered sale deed dated 30.09.2015 as a loan transaction and not a real sale and recovery of possession in respect of the suit property with consequential injunction. However, the plaint was returned for certain corrections including payment of deficit Court fee. Thereafter, it was re-presented with application under Section 149 of CPC, praying to grant leave and extension of time for payment of deficit Court fee. The said application was allowed on the ground that the respondents 1 and 2 paid the deficit Court fee.



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4. Hence, this Court finds no infirmity or illegality in the order dated 08.04.2019 passed in I.A.No.544 of 2018 in OSCFR No.20733 of 2018 on the file of the Principal District Judge, Coimbatore. Accordingly, this Civil Revision Petition stands dismissed. Consequently, connected miscellaneous petition is closed. No costs.

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Index:Yes/No
Internet:Yes/No
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To

The Principal District Judge,
Coimbatore.



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G.K.ILANTHIRAIYAN, J.

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