



C.M.P.Nos.16412, 16413 of 2022 in C.M.P.No.13136 of 2022
in W.A.No.57 of 2019

WEB COPY

C.M.P.Nos.16412, 16413 of 202 in C.M.P.No.13136 of 2022
in W.A.No.57 of 2019

THE HON'BLE ACTING CHIEF JUSTICE
and
D.BHARATHA CHAKRAVARTHY, J.

(Order of the Court was made by the Hon'ble Acting Chief Justice)

C.M.P.No.16412 of 2022 has been filed by the petitioner to grant extension of time by six months to enable him pay the balance sum of Rs.91,98,384/-.

2. C.M.P.No.16413 of 2022 has been filed to modify the order dated 5.9.2022 passed in C.M.P.No.13136 of 2022.

3. Heard Mr.Kamadevan, learned counsel for the petitioner.

4. Earlier, when the petitioner filed C.M.P.No.13136 of 2022, on 5.9.2022, this Court passed the following order:

"Heard both sides.

2. This Court, by the order dated 30.03.2022, had given a final chance to the petitioner/appellant to



C.M.P.Nos.16412, 16413 of 2022 in C.M.P.No.13136 of 2022
in W.A.No.57 of 2019

pay the balance amount of Rs.91,98,384/- along with interest at the rate of 6% per annum on or before 04.05.2022 to the respondent. Since that direction has not been complied with, we are unable to entertain the present civil miscellaneous petition. Accordingly, C.M.P.No.13136 of 2022 stands dismissed. Needless to mention that when the possession was handed over by the respondent on the premise that the balance amount of Rs.91,98,384/- along with interest at the rate of 6% per annum would be paid by the petitioner on or before 04.05.2022, since there has been a default, the respondent is entitled to take back the possession of the premises from the petitioner."

5. Now, the petitioner has filed C.M.P.No.16412 of 2022 to extend the time by six months to pay the balance sum of Rs.91,98,384/- and C.M.P.No.16413 of 2022 to modify the order dated 5.9.2022 passed in C.M.P.No.13136 of 2022.

6. Since an identical request as sought for in C.M.P.No.16412 of 2022 has been considered and rejected by this Court vide order



C.M.P.Nos.16412, 16413 of 2022 in C.M.P.No.13136 of 2022
in W.A.No.57 of 2019

dated 5.9.2022 in C.M.P.No.13136 of 2022 observing that the final chance to pay the balance amount of Rs.91,98,384/- along with interest at the rate of 6% per annum was over by 4.5.2022, there is no justification and/or ground to extend the time period to pay the balance amount of Rs.91,98,384/- by the petitioner. Further, we find no valid ground to modify the order dated 5.9.2022 passed in C.M.P.No.13136 of 2022.

7. Therefore, finding no merits, both the petitions, namely, C.M.P.Nos.16412 and 16413 of 2022, are dismissed

(T.R., ACJ.) (D.B.C.,J.)
11.01.2023

bbr



WEB COPY



C.M.P.Nos.16412, 16413 of 2022 in C.M.P.No.13136 of 2022
in W.A.No.57 of 2019

THE HON'BLE ACTING CHIEF JUSTICE
and
D.BHARATHA CHAKRAVARTHY, J.

bbr

C.M.P.No.16412, 16413 of 202 in
C.M.P.No.13136 of 2022
in W.A.No.57 of 2019

11.01.2023