



CMP(MD) No.11623 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Wednesday, the Eleventh day of October Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CMP(MD) No.11623 of 2023

IN

CRP(MD) No.1498 of 2023

N. SUBBURAM

... PETITIONER/PETITIONER

Vs

R. RAJA SUDHAKARAN

... RESPONDENT/RESPONDENT

Civil Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant an order of extension for a period of 4 weeks to deposit the remaining amount of second instalment i.e.25% (Rs.7,15,785/-) of decree amount in E.P.No.177 of 2019 in O.S.No. 236 of 2015 passed by the Learned 1st Additional District Judge, Madurai.

Prayer in CRP(MD).1498/2023 :

To call for the entire records in connection with Interlocutory Application in I.A. No. 358 of 2021 in O.S. No. 236 of 2015 passed by the Learned 1st Additional District Judge, Madurai and set aside the same by allowing this Civil Revision Petition.

ORDER : This Civil Miscellaneous petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.NIRANJAN.S.KUMAR, Advocate for the petitioner and of MR.K.JEGADEESAN, Advocate on behalf of the Respondent, the court made the following order:-

The above application has been filed seeking extension of time to comply with the direction of this Court dated 28.06.2023.

2. Heard the learned counsel appearing for the petitioner and the learned

<https://www.mhc.tn.gov.in/judis>



CMP(MD) No.11623 of 2023

counsel appearing for the respondent.

WEB COPY

3. It is seen from the records that this Court, vide order dated 28.06.2023, directed the petitioner to pay 50% of the decretal amount in two installments, in which, the first installment shall be paid within a period of 4 weeks from that day and the second installment shall be paid within a period of 4 weeks thereafter.

4. The learned counsel appearing for the petitioner would submit that the petitioner has already paid the first installment amount and he is unable to mobilize the second installment amount within the stipulated time. Hence, the present application came to be filed.

5. The learned counsel appearing for the respondent has raised objections and today, he has also filed a counter statement raising serious objections.

6. Considering the above facts and circumstances, this Court is inclined to grant one week further time to pay the second installment amount, as directed by this Court vide order dated 28.06.2023. Accordingly, one week time is extended from today (11.10.2023).

7. In the result, this Civil Miscellaneous Petition is ordered.

sd/-

11/10/2023

/ TRUE COPY /

11/10/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CMP(MD) No.11623 of 2023

TO

WEB COPY

THE I ADDITIONAL DISTRICT JUDGE,
MADURAI.

+1. C.C. to M/S.NIRANJAN.S.KUMAR Advocate SR.No.47043[F]

ORDER

IN

CMP(MD) No.11623 of 2023

IN

CRP(MD) No.1498 of 2023

Date :11/10/2023

RS//SAR-(11.10.2023) 3P 3C

Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023