



CRP No.1403 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2024

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRP No.1403 of 2023

C.R.Baskaran

... Petitioner

Vs.

The Commissioner, Kancheepuram Municipality,
Kancheepuram 631 502.

...Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to direct the District Judge-II, Kanchipuram to dispose of the E.P.No.62/2018 in O.S.No.8/2018 at the earliest, within the time frame, as fixed by this court.

For Petitioner : Mr.K.S.Navin Balaji

For Respondent : Mr.R.Gopinath, Standing counsel



CRP No.1403 of 2023

ORDER

This Civil Revision Petition has been filed to direct the learned District Judge-II, Kanchipuram to dispose of the E.P.No.62/2018 in O.S.No.8/2018 at the earliest, within the time frame, as fixed by this court.

2. The brief facts leading to the filing of Civil Revision petition is as follows:

The petitioner herein is the plaintiff in O.S.No.8/2018 and he filed the above said suit against the respondent herein/defendant for recovery of arrears of rent. In the suit, the respondent/defendant was set exparte and exparte decree was passed in favour of the petitioner, directing the respondent/ defendant to pay a sum of Rs.20,64,132/- to the petitioner/plaintiff with further interest at the rate of 6% p.a. from the date of plaint till the date of realization. Subsequently, to execute the above decree, the petitioner/plaintiff has filed E.P.No.62/2018 and since it was periodically adjourned without any progress, this civil revision petition has been filed seeking direction of speedy disposal within a time frame.



CRP No.1403 of 2023

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3. Today, when the matter is listed for hearing, the learned standing counsel appearing for the respondent handed over a cheque, bearing No.018714, drawn on Punjab National Bank, Gandhi Road, Kancheepuram (TN) 631 501, dated 06.01.2024 for a sum of Rs.4,67,343/- (Rupees four lakhs sixty seven thousand three hundred and forty three only) towards interest to the counsel for the petitioner. He also filed a letter, dated 06.01.2024 sent by the Commissioner of Kanchipuram Municipality to him along with the xerox copy of the above cheque, before this court and also submitted that the above execution petition has been filed by the petitioner/plaintiff to get the principal amount along with interest.

4. In such circumstances, the learned counsel for the petitioner/plaintiff submitted that, he is agreed to receive the above said cheque towards the interest portion. He further submitted that already principal amount was settled by the respondent and now, since the cheque has been received for the interest portion, he is not pressing the civil revision petition, as there is no need to give any direction to dispose of the above execution



CRP No.1403 of 2023

petition.

5. Recording the submission made by the learned counsel for the petitioner, this civil revision petition is closed. No costs.

05.02.2024

Index: Yes/No
Internet: Yes/No
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To

The District Judge-II, Kanchipuram.



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CRP No.1403 of 2023

V.SIVAGNANAM, J.,

mst

CRP No.1403 of 2023

05.02.2024

5 of 5