



CRP No.4981 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2024

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRP No.4981 of 2023

1.M/s. M.C.Knitting Mills,
Thirppur,
Represented by its Partner,
S.Bharath,
Thiruppur.

2.S.Bharath

... Petitioners

Vs.

1.M/s Sunrise Knitting Mills,
Thirupur,
Represented by its Partner,
R.Duraisamy,

2.R.Duriasami

3.Dhanalatchmi

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order in IA No.849/2021 in O.S.No.285/2017 by the Principal District Court, Thirupur and restore O.S.No.285 of 2017.



CRP No.4981 of 2023

For Petitioners : Mr.P.Seesubalan Raja
For Respondents : Mr.R.Bharath Kumar

ORDER

This Civil Revision Petition has been filed to set aside the order in IA No.849/2021 in O.S.No.285/2017 on the file of the learned Principal District Court, Thirupur and restore O.S.No.285 of 2017.

2. The petitioner herein is the plaintiff and the respondent is the defendant in OS No.285 of 2017. The petitioner has filed the suit for recovery of a sum of Rs.3,15,84,175/-. The suit was dismissed for default. Hence, the petitioner filed an interlocutory application in IA No.849 of 2021 to restore the suit. The learned Judge, had allowed the said application on payment of costs of Rs.10,000/- payable to the respondent on or before 13.08.2021 by the petitioner. Challenging the said order, the petitioner has filed the civil revision petition.



CRP No.4981 of 2023

WEB COPY

3. Now, learned counsel for the petitioner submits that further time may be granted to the petitioner for payment of costs as directed by the Trial Court. He further submits that while allowing the condone delay petition in CMP No.17215 of 2023 in CRP SR.No.93846 of 2023, the respondent has conceded to forgo the interest for the delay period.

4. Recording the submission of the learned counsel for the petitioner, this Civil Revision Petition is dismissed with a direction to the petitioner to pay the costs of Rs.10,000/- to the respondent, as directed by the Trial Court, within a period of one month from the date of receipt of a copy of this order. There will be no order as to costs.

08.01.2024

Index: Yes/No
Internet: Yes/No
mrn



CRP No.4981 of 2023

WEB COPY

To
1. The Principal District Court, Thirupur



WEB COPY



CRP No.4981 of 2023

V.SIVAGNANAM, J.,

mrn

CRP No.4981 of 2023

08.01.2024