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C.M.P.No.20591 of 2024 in

C.R.P.No.804 of 2023

C.M.P.No.20591 of 2024 in
C.R.P.No.804 of 2023

T.V.THAMILSELVI,J

Today, the matter is listed “for clarification” at the instance of the learned counsel for the petitioner.

2. The learned counsel for the petitioner submitted that this Court while disposing of the revision petition in C.R.P.No.804 of 2023 on 19.12.2023, had given the direction as follows:

“This Court directs the revision petitioner/second defendant to pay a sum of Rs.20,000/- to the plaintiff within a period of two weeks from the date of receipt of a copy of this order, on such payment, the order passed by the trial Court in I.A.No.632 of 2019 in O.S.No.89 of 2007, dated 01.11.2022 is hereby set aside.”

Thereafter, the petitioner had filed the present Miscellaneous Petition seeking extension of time to comply with the said condition and this Court by order dated 19.09.2024, had granted 10 days time from the date of receipt of a copy of that order as follows:



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“ 5. Considering the facts and circumstances and also considering the reasons stated by the petitioner seems to be justifiable, this Court is inclined to allow this petition and the petitioner is directed to deposit a sum of Rs.20,000/- (Rupees twenty thousand only) to the plaintiff within a period of ten days from the date of receipt of copy of this order and on such deposit, the respondent is permitted to withdraw the amount. Accordingly, the Civil Miscellaneous Petition is ordered”.

3. The learned counsel further submitted that as per the above direction, the petitioner attempted to pay the sum of Rs.20,000/- to the respondent/plaintiff, whereas she refused to receive the same. Hence, the petitioner filed a petition to deposit the said amount before the trial Court, however, since there is no specific direction to the trial Court in the said order, to accept the deposit amount, the trial Court returned the petition on 24.09.2024. Hence, he seeks appropriate direction to the trial Court.

4. Considering the submissions made by the learned counsel for the petitioner, paragraph No.5 of the order passed in C.M.P.No.20591 of 2024 in C.R.P.No.804 of 2023 dated 19.09.2024 shall be read as follows:



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5. Considering the facts and circumstances and also considering the reasons stated by the petitioner seems to be justifiable one, this Court is inclined to allow this petition and the petitioner is directed to deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) to the credit of O.S.No.89 of 2007 on the file of the Additional Sub Court, Dharmapuri, on or before 03.10.2024. On such deposit, the respondent is permitted to withdraw the amount. Accordingly, this Civil Miscellaneous Petition is ordered.

26.09.2024

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***Copy to
The Additional Sub Court,
Dharmapuri.***

Note: Issue Order Copy on 27.09.2024



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26.09.2024