



WEB COPY



C.R.P. No.3584 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2024

CORAM

THE HONOURABLE Mr. JUSTICE P.DHANABAL

CRP.No.3584 of 2022
and C.M.P. No.19020 of 2022

Periyasamy S/o. Subbaiya Gounder ...Petitioner / Petitioner / Defendant

Vs.

Tirumurthy S/o. Nallagounder Respondent / Respondent / Plaintiff

PRAYER: Civil Revision Petition is filed under Section 115 of Code of Civil Procedure to set aside the fair and decreetal order dated 29.08.2022 made in I.A. No.1 of 2021 in O.S. No.2725 of 2013 on the file of the Principal District Munsif Court, Coimbatore.

For Petitioner : Mr. C. Prabakaran

For Respondent : Mr. Usha Ramman

ORDER

When the matter is taken up for hearing, the learned counsel appearing for the petitioner would submit that they are ready to deposit the Suit amount within 3 months from the date of this order. The learned counsel appearing for the respondent has also not seriously objected.



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2. Therefore, without going into merits of the case, it is appropriate to grant time to the petitioner for payment of decree amount after deducting the amount already deposited before the Trial Court.

3. The learned counsel appearing for the petitioner has also brought to the knowledge of this Court that as per decree, 18% of interest was awarded, but the Trial Court failed to consider the rate of interest after decree is only 6%. The petitioner also suggested for subsequent interest @ 6% and the same was not seriously disputed by the other side. Therefore, it is appropriate to dispose the civil revision petition by recording the submissions of the both sides' counsels.

4. Accordingly, the Civil Revision Petition is disposed of. No costs. Consequently, the connected civil miscellaneous petition is closed.

24.07.2024

Index : Yes/No
Speaking order/non-speaking order
mjs

To



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The Principal District Munsif Court, Coimbatore.

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P.DHANABAL, J.,

mjs

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