



CRP(MD).No. 3271 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 25.03.2024

CORAM :

THE HON'BLE MR JUSTICE G.ILANGO VAN

CRP(MD).No. 3271 of 2023 and
CMP(MD).No.16868 of 2023

Subramanian

... Petitioner

Vs.

Pandian

... Respondent

PRAYER:- Petition filed under Section 115 CPC against the fair and decreetal order in I.A.No.2 of 2019 in O.S.No.110 of 2014, dated 18.11.2022 on the file of the Sub Court, Manamadurai.

For Petitioner : Mr.R. Senthilkumar

For respondent : Mr. P.Bala Muruganantham

ORDER

This Civil Revision Petition has been filed against the fair and decreetal order, dated 18.11.2022 made in I.A.No.2 of 2019 in O.S.No.110 of 2014 on the file of the Sub Court, Manamadurai.

2. The suit is for a recovery of sum of Rs.1,50,000/- along



CRP(MD).No. 3271 of 2023

with interest from the respondent herein / defendant and the same was decreed ex parte. To set aside the ex parte decree, the respondent herein filed an application in I.A.No.2 of 2019 on the file of the Sub Court, Manamadurai and the same was allowed on payment of cost of Rs.2,000/-. Against which the present revision is preferred.

3. Even though this Civil Revision Petition has been filed against the order of restoring the suit, the learned counsel for the petitioner restricted his prayer to dispose the suit in O.S.No.110 of 2014, pending on the file of the Sub Court, Manamadurai within the time stipulated by this Court and apart from that part of the suit amount has to be ordered to the respondent herein to pay to the petitioner.

4. Considering the fact that the suit is for recovery of money, the respondent herein / defendant is directed to deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of suit in O.S.No.110 of 2014 on the file of the Sub Court, Manamadurai within a month from the date of receipt of a copy of this order.



CRP(MD).No. 3271 of 2023

5. Further, considering the oldness of the matter, the learned Subordinate Judge, Manamadurai is directed to dispose of the above said suit by following this Court's circular in R.O.C.No.1599-A.2009/B5 dated 15.05.2009.

6. With the above direction, this Civil Revision Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

25.03.2024

Internet : Yes / No
Index : Yes / No
Speaking / Non Speaking order
trp

To

The Sub Court, Manamadurai.



WEB COPY



CRP(MD).No. 3271 of 2023

G.ILANGOVA, J.

Trp

CRP(MD).No. 3271 of 2023 and
CMP(MD).No.16868 of 2023

25.03.2024